

SPECIAL SESSION - June 19, 1940

STATE OF TEXAS |  
COUNTY OF TITUS |

AM 1372

On this, the 19th day of June, A.D. 1940, the Commissioners' Court of Titus County in open session with a quorum present, passed the following order to-wit:

It appearing to said court upon mature investigation that the assessment for ad valorem taxes on personal property of the Paluxy Asphalt Company, a corporation of Titus County, Texas for the year 1939 based upon a value of \$110,000.00 is void ab initio by virtue of the fact that said assessment is in contravention of Article 8, Section 20 of the Constitution of the State of Texas, viz:

"No property of any kind in this state shall ever be assessed for ad valorem taxes at a greater value than its fair cash market value, nor shall any board of equalization of any governmental or political subdivision or taxing district within this state fix the value of any property for tax purposes at more than its fair cash market value; .... This amendment shall be effective January 1, 1939."

It being the further knowledge of said court that on or about the 31st day of May, 1939, the bulk of said personal property, being the plant and equipment of said Paluxy Asphalt Company, was destroyed by fire.

It being the further sense and opinion of said court that the total value of said personal property of said Paluxy Asphalt Company, had an aggregate value of \$64,000.00 as of the 1st day of January, A.D. 1939.

It being the further knowledge of said Commissioners' Court that said corporation has since sold and disposed of the assets of said corporation and no longer owns any personal property of any kind or character situated in Titus County, Texas.

It being the further sense and opinion of said Commissioners' Court that no valid assessment is now in existence against said corporation for any ad valorem taxes whatsoever against the personal property of said corporation, and that the purported assessment appearing upon the records of said tax collector of said county is of no force and effect.

It is therefore the sense and opinion of said Commissioners' Court that the personal property of said corporation should be back assessed or re-assessed at the true, correct and fair cash market value as of the 1st day of January, A.D. 1939.

It is therefore ordered, adjudged and decreed that the tax collector of Titus County, Texas re-assess and back assess the personal property of the Paluxy Asphalt Company at a value not to exceed \$64,000.00, being the fair cash market value of all of the personal property of said corporation located in Titus County, Texas on the 1st day of January, A.D. 1939, and that said assessment be spread upon the records of said tax collector in lieu of the assessment now appearing upon said records at a valuation of \$110,000.00.

It is further ordered that a copy of this order be placed in the hands of said tax collector and that he proceed forthwith in compliance therewith.

G. T. Neugent  
County Judge, Titus County, Texas.

T. L. Garrett  
W. J. Cody  
Ernest Brown  
G. C. Lunsford  
Commissioners, Titus County, Texas.

{Commissioners' Court Seal}

**NOTE**

The above minutes read and approved.

ATTEST: \_\_\_\_\_  
County Clerk.

\_\_\_\_\_ County Judge.