

## REGULAR SESSION, NOVEMBER, 1940.

## Regular Term

BE IT REMEMBERED that the/Commissioners' Court of Titus County, Texas, began on November 11, 1940 and the following members were present, to-wit:

C. T. Neugent,	County Judge
T. L. Garrett,	Commissioner, Pre. No. 1
W. J. Cody,	Commissioner, Pre. No. 2
Ernest Brown,	Commissioner, Pre. No. 3
G. C. Luneford,	Commissioner, Pre. No. 4

and the following proceedings were had, to-wit:

IN THE MATTER OF APPROVING REPORT OF JURY OF VIEW ON PUBLIC ROAD IN PRE. 2:

THE STATE OF TEXAS |  
COUNTY OF TITUS |

On this the 11th day of November, 1940 came on to be heard at a regular term of the Commissioners' Court of Titus County the report of the Jury of View appointed to lay out and survey a road beginning at a point about  $3\frac{1}{2}$  miles North of Winfield, Texas near the residence of Bascom Brown where a present existing road running generally in a North-Easterly direction to the Winfield-Bridges Chapel road approximately 4 miles away intersects with the Winfield-Daphne road, and terminating at the point aforesaid where said present existing road runs into or intersects the said Winfield-Bridges Chapel road near the NE corner of the odd Watson place, said road being in Commissioners' Precinct No. 2 in Titus County, and the same have been duly considered by said Court, it is ordered that said report be approved, and that said road be, and it is, hereby established and that the field notes of said survey and description of said road be, and they are, hereby recorded in the Minutes of this Court, to-wit:

Said road to be 30 feet in width, being 25 feet on each side of the center line of the said public road: BEGINNING at the point above mentioned; THENCE with the center line of the present existing road on the ground above mentioned EASTERLY to the WB line of the B. F. Hunnicutt tract; THENCE with said center line across the said Hunnicutt tract in an EASTERLY direction to the WB line of the Connor Bros. tract; THENCE with said center line WESTERLY through the Hunnicutt tract to the NW corner of said Connor Bros. tract; THENCE with said center line NORTHELY through said Hunnicutt tract to the SB line of the Bessie Lee tract; THENCE with said center line NW across the said Lee tract to Bill Beek's SB line; THENCE with said center line NORTHERLY across the Beek's tract to Bill Beek's NB line; THENCE with said center line EASTERLY to the WB line of the Caldwell tract; THENCE with said center line SOUTH to the <sup>SW</sup> corner of the Caldwell tract; THENCE with said center line EASTERLY with the SB line of the Caldwell tract to the termination point above mentioned.

It is further ORDERED, notwithstanding no statements of damages were filed with said Jury of View, that there be allowed and paid as just damages, and as adequate compensation for the land taken for said road the amounts of money as follows:

To Mr. and Mrs. B. F. Hunnicutt - - - \$ 15.00;

To Mr. and Mrs. Frank Hunnicutt - - - \$ 5.00;

it appearing that the said Mr. and Mrs. Frank Hunnicutt are mere tenants on land taken, the fee owners of which, Bessie Lee and husband F. Lee, having executed an easement to Titus County for the said road; and that said sums be paid to said parties respectively, or be deposited to their credit with the County Treasurer of this City as provided by law and with notice to such owners of such payments or deposits, whereupon, since no objection is made to such report and such road is deemed of sufficient importance and is here now found to be and is necessary to the public and the public interest, such road shall be opened.

It is further ORDERED that said new road be, and it is hereby, classified as a road of the second-class; that since such road lies within said Precinct No. 2, same shall constitute and be a part of said Precinct, and shall be worked and maintained in the manner provided by law.

ATTEST: C. T. Neugent  
COUNTY JUDGE OF TITUS CO. TEXAS.

A. B. Gilpin  
COUNTY CLERK  
TITUS COUNTY, TEXAS

(Seal)

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IN THE MATTER OF APPROVING MONTHLY REPORTS AND EXPENSE ACCOUNTS, October, 1940:

Motion was made by Commissioner Brown and seconded by Commissioner Garrett to approve the monthly report and expense account of J. W. Spruill, Justice of the Peace. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Brown and seconded by Commissioner Lunsford to approve the monthly report and expense account of J. W. Edwards, Justice of the Peace. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Garrett and seconded by Commissioner Lunsford to approve the monthly report and expense account of C. W. Robinson, Justice of the Peace. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Garrett and seconded by Commissioner Lunsford to approve the monthly expense account of A. B. Gilpin, County Clerk. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Garrett and seconded by Commissioner Lunsford to approve the monthly expense account of Aubrey Redfearn, Constable. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Lunsford and seconded by Commissioner Brown to approve the monthly expense account of Morris Rolston, County Attorney. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Garrett and seconded by Commissioner Lunsford to approve the monthly expense account of P. O. Wilhite, Assessor & Collector. All voted "aye" and the motion carried unanimously.

Motion was made by Commissioner Garrett and seconded by Commissioner Lunsford to approve the monthly expense account of G. R. Ard, Sheriff. All voted "aye" and the motion carried unanimously.

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IN THE MATTER OF REPORTING THE SALE OF TITUS COUNTY LANDS, SOLD AT A PREVIOUS DATE:

THE STATE OF TEXAS |

THE COUNTY OF TITUS |

TO THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS:

I, C. T. Neugent, Special Commissioner, appointed by the Commissioners' Court of Titus County, Texas, to make the sale of certain lands belonging to Titus County, Texas, hereby make the following report:

In accordance with the order of this court made on the 14th day of October, 1940, I caused, on the 19th day of October, 1940, a notice of the sale of said lands to be posted at the court house door of Titus County, Texas, a copy of which notice is herewith attached and marked "Exhibit 1", and in accordance with said order, did sell at public auction at the courthouse door of Titus County, Texas, on the 30th day of October, 1940, between the hours of 10:00 o'clock A.M. and 4:00 o'clock P. M. Tract No. 1, as shown by the Exhibit, to Hays Johnson of Titus County, Texas, for the sum of \$25.00, he being the highest bidder therefor; and Tract No. 2, as shown by the Exhibit, to Verne Adams of Titus County, Texas, for the sum of \$20.00, he being the highest bidder therefor; and on said day the said Hays Johnson and Verne Adams having paid the amount bid, I did execute to each of them a deed for the land so purchased. I did not sell Tract No. 3 for the reason that the description of the same appeared to be insufficient.

I hereby ask the Honorable Commissioners' Court for approval and ratification of the sales so made by me.

C. T. Neugent  
Special Commissioner

At a regular meeting of the Commissioners' Court of Titus County, Texas, on November 12, 1940, with a quorum of said court present, there came on to be considered the matter of the approval and ratification of the sale of certain lands belonging to Titus County, Texas, made by C. T. Neugent, Special Commissioner, acting under the authority of the Commissioners' Court of Titus County, Texas. Whereupon Commissioner G. C. Lunsford made a motion regarding the sale of said lands and which was seconded by Commissioner W. J. Cody; said motion being as follows:

"That the Commissioners' Court of Titus County, Texas, approve and ratify in all things the sale of said lands made by C. T. Neugent, Special Commissioner".

Upon the motion being placed to a vote, all voted "Aye".

Done this the 12th day of November, 1940.

C. T. Neugent  
County Judge, Titus Co., Texas

(SEAL)

ATTEST: A. B. Gilpin  
County Clerk

"EXHIBIT I"

THE STATE OF TEXAS |

THE COUNTY OF TITUS |

WHEREAS, at a regular meeting of the Commissioners' Court of Titus County, Texas, on October, 1940, there was a quorum of said court present and came on to be considered the matter of the sale by Titus County of three small tracts of land located in Titus County and belonging to Titus County. The tracts of land being described as follows:

TRACT NO. I: Located in the town of Talco and beginning at a stake on the Northwest corner of the junction of Fifth Street and A. M. Geiger's S. B. line and 60 ft. West of M. Hazelwood's N. W. Corner - THENCE SOUTH 158 ft., a stake on E. B. line of Fourth Street - THENCE EAST 300 ft.

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to a stake on the W. B. line of Fifth Street - THENCE NORTH 158 ft. to the beginning; less, however, that portion lying in the right-of-way of old highway No. 49 and that portion lying North and East of the Northerly line of old Highway No. 49; and being the same land, less the above exception, deeded to Titus County by B. L. Geiger and wife on May 26, 1936, as shown by Deed recorded in Vol. 95 Page 179 of the Deed Records of Titus County, Texas, subject to oil and gas lease and surface lease in favor of Hays Johnson and the right to remove all improvements.

TRACT NO. 2: BEING a part of the J. B. Hill Survey and beginning at a stake in Varne Adams' S. B. line 308 ft. West of his S. E. corner of 190 acre tract of land - THENCE WEST 70 yds. to a P. O. - THENCE NORTH 140 yds. to a stake - THENCE EAST 70 yds. to a stake - THENCE SOUTH 140 yds. to the beginning and containing two acres of land and being the same land described in a deed from Varne Adams and wife to Titus County, dated July 22, 1919, and recorded in Vol. 46 Page 120 of the Deed Records of Titus County, Texas.

TRACT NO. 3: BEING a part of the R. Kurk and R. W. Nabors Surveys and beginning at a stake in the W. B. line of Highway No. 67, same being on the S. B. line of S. P. Adams' estate out of said survey - THENCE SOUTH with the E. B. line of said highway 1219 ft. to the S. W. corner of R. Kurk Survey - THENCE EAST with the N. B. line of a county road 100 ft. to a stake in the N. B. line in said road in the Nabors Survey - THENCE NORTH 1219 vrs. to the S. E. Cor. of the S. P. Adams tract of land out of the Kurk survey - THENCE WEST 112 ft. to the beginning.

WHEREAS, a motion made by Commissioner Brown and seconded by Commissioner Garrett was duly adopted by said court as follows:

"Be it ordered by the Commissioners' Court of Titus County, Texas, that each of the above described tracts of real estate be separately sold at public auction to the highest bidder for cash on the 30th day of October, 1940, after due notice and advertisement thereof as is herein-after stated.

"It is further ordered that C. T. Neugent, County Judge of Titus County, Texas, be and he is hereby appointed special commissioner for the purpose of making the above sale for and on behalf of said county, and he is hereby ordered to give notice of said sale by posting a written notice thereof at the courthouse door in Titus County for ten days preceding the day of sale; advertising that each of said tracts of land will be separately sold at public auction for cash at the courthouse door in said county on the 30th day of October, 1940, between the hours of 10:00 A. M. and 4:00 P. M.; and that said commissioner is hereby given the right and authority to reject any and all bids for said tracts of land, if in his judgment the highest bid for each of said tracts is not reasonable and fair.

"It is further ordered that after making said sale the special commissioner, C. T. Neugent, will make the deed in conformity with this order for and on behalf of said county, shall duly acknowledge the same, conveying to the purchaser of each of said tracts all the right, title, interest and estate which the county had in and to the above described tracts of land".

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in accordance with said motion I, C. T. Neugent, special commissioner, do hereby give notice that I will, on the 30th day of October, 1940, at the courthouse door of Titus County, Texas, between the hours of 10:00 A. M. and 4:00 P. M., sell at public auction to the highest bidder for cash each of said tracts of land, and in accordance with the order of the commissioners' court will reject any and all bids that are, in my judgment, not reasonable and fair, and in the event the bids for said tracts of land are, in my judgment, fair and reasonable, will execute to the purchaser thereof a deed.

Done and posted this the 19th day of October, 1940.

(Signed) C. T. Neugent,  
Special Commissioner