

SPECIAL SESSION- September 28, 1943

BE IT REMEMBERED that the Commissioners Court of Titus County, Texas, met in special Session, September 28, at the Court House in Mt. Pleasant, Texas, with the following members, present, to-wit:

Ed Dickson	County Judge
L. C. Banks	Commissioner Prec. #1
H. C. Taylor	Commissioner Prec. #2
E. E. Nugent	Commissioner Prec. #3
C. M. Goodwin	Commissioner Prec. #4

and the following proceedings were had to-wit:

IN THE MATTER OF RELEASING VENDORS LIEN NOTES HELD BY TITUS CO. PERMANENT SCHOOL FUND IN PAYMENT OF LAND IN PECOS CO. TEXAS.

Whereas it came to be considered the release of a vendors lien note owned by the Titus Co. Permanent School Fund and given in payment of 492.6 acres of Titus Co. School Lands in Pecos Co. Texas, Abst. No. 3175 certificate No. 1/2092 Survey No. 1.

Whereas the above described land was sold to T. B. Caldwell on May 10, 1909 and a note given for \$7,477.50 bearing interest at the rate of 6% per annum and payable in 40 equal annual installments. However under the terms of the note it was stipulated and agreed that the purchase of land, T. B. Caldwell would have the right & privilege by option to pay all or any amount of said money after the expiration of 4 years from date.

Whereas on July 19, 1941 the Commissioners Court conveyed the above described land to Henry Wilbanks and renewed the vendors' lien note for \$4,678.97. The renewal note also contained an option that the maker had the right & option to pay any amt. of the principal & interest of said note at any time he might elect to do so.

Now comes the said Henry Wilbanks by his atty. W. A. Hadon, and states that he desires to pay the balance due on said note in full. The amount of balance on Principal now due is \$4,304.68 with accrued interest to Oct. 15, 1943 of \$83.80.

It is hereby ordered that all the above described notes together with releases of vendors' lien be sent with draft attached through the 1st. Natl. Bank Mt. Pleasant, Tex. to Lang, Byrd, Cross & Ladon- Alamo Natl. Bldg., San Antonio, Texas. Motion was made by Commissioner Nugent, Seconded by Commissioner Goodwin to Release above notes, all members voted "Aye" motion carried unanimously.

THE STATE OF TEXAS |

COUNTY OF TITUS | I KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Titus County, Texas, acting by and through its then duly elected and qualified Commissioners' Court, did on the tenth day of May, 1909, by general warranty deed of that date, of record in Volume 15, Page 205, of the Deed Records of Pecos County, Texas, convey unto one T. B. Caldwell, the following real property, situated in the said county of Pecos, Texas, to-wit:

<u>Abstract</u>	<u>CERTIFICATE</u>	<u>SURVEY</u>	<u>GRANTEE</u>	<u>ACRES.</u>
3175	1/2092	1	Titus County School Lands	2492.6

said land being known as the Titus County School Lands located in Pecos County, Texas; and

WHEREAS, the said T. B. Caldwell duly made, executed and delivered to Titus County, Texas,

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one certain note in the principal sum of Seven Thousand Four Hundred Seventy-Seven and 50/100 (\$7,477.50) Dollars, of even date with said deed, bearing interest at the rate of Five (5%) per cent per annum and payable in Forty (40) equal annual installments, said note being secured by Vendor's Lien against said land; and

WHEREAS, Henry Wilbanks, of Tecos County, Texas, subsequently acquired title to said land, and under date of September 22, 1941, by renewal and extension agreement entered into between the said Henry Wilbanks and the County of Titus, recorded in Volume 91, Page 576, Deed Records, Tecos County, Texas, renewed and extended the then balance on said indebtedness in the sum of Four Thousand Six Hundred Seventy-eight and 97/100 (\$4,678.97) Dollars, the said balance by the terms of such extension agreement being payable in Twenty-five (25) equal annual installments, beginning on July 15, 1942; and

WHEREAS, said Vendor's Lien note given as aforesaid for part purchase money of said property has been paid to Titus County, the legal and equitable holder and owner of said note;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS that Titus County, acting by and through its Commissioners' Court, the present legal and equitable owner and holder of said Vendor's Lien note above mentioned, does hereby release, discharge and quitclaim unto the said Henry Wilbanks, his heirs and assigns, all the rights, title, interest and estate in and to the property above described, which it has or may be entitled to by virtue of being the owner and holder of said Vendor's Lien note, and hereby declares said property released and discharged of all liens created by virtue of said Vendor's Lien note above described.

EXECUTED this the 28th. day of September, 1943.

Ed Dickson,
County Judge, Titus County, Texas.
L. C. Banks
Commissioner, Precinct No. 1
Titus County, Texas.
C. H. Taylor,
Commissioner, Precinct No. 2,
Titus County, Texas.
E. E. Nugent
Commissioner, Precinct No. 3,
Titus County, Texas.
C. N. Goodwin
Commissioner, Precinct No. 4,
Titus County, Texas.

THE STATE OF TEXAS |

COUNTY OF TITUS |

BEFORE ME, the undersigned authority, a Notary Public in and for Titus County, Texas, on this day personally appeared Ed Dickson, County Judge of Titus County, Texas, and L. C. Banks, Commissioner of Precinct No. 1 for said County, and C. H. Taylor, Commissioner of Precinct No. 2 for said County, and E. E. Nugent, Commissioner of Precinct No. 3 for said County, and C. N. Goodwin, Commissioner of Precinct No. 4 for said County, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that they executed the same for the purposes and consideration therein expressed and in the capacity therein stated, and as the act and deed of the Commissioners Court of Titus County, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 28th. day of September, A.D. 1943.

D. C. Morgan, Notary Public in and for
Titus County, Texas.

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There being no further business before the Court motion was made by Commissioner Nugent seconded by Commissioner Goodwin to adjourn, all members voted "Aye" motion carried unanimously.
