

## REGULAR SESSION - November 10, 1947

BE IT REMEMBERED That the Commissioners Court of Titus County, Texas, met in Regular Session on the 10th day of November, 1947, at the Court House of said County in Mt. Pleasant, Texas, with members present as follows, to-wit:

Morris Rolston	County Judge
R. W. Jones	Commissioner Prec. #1
W. C. Moore	Commissioner Prec. #2
Eugene Mankins	Commissioner Prec. #3
J. R. Ponder	Commissioner Prec. #4
Mrs. J. A. Glass	County Clerk

and the following proceedings were had, to-wit:

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 IN THE MATTER OF APPROVING MONTHLY ACCOUNTS:

Motion made by Commissioner Mankins and seconded by Commissioner Ponder to approve the monthly accounts as same appear of record in Volume 8, Minutes of Accounts Allowed. Motion carried.

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 IN THE MATTER OF APPROVING OFFICERS MONTHLY EXPENSE ACCOUNTS:

Motion made by Commissioner Ponder and seconded by Commissioner Mankins that the monthly expense accounts of the following officers be approved, to-wit:

Coy M. Coker	Sheriff
Mrs. J. A. Glass	County Clerk
M. H. Gaddis	Constable #1
Grover Ard	Justice/Pesce #1
Bird Old, Jr.	County Attorney (Aug. Sept. & Oct.)

Upon being put to a vote, the motion carried unanimously.

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 IN THE MATTER OF APPROVING COUNTY TREASURER'S REPORT FOR OCTOBER:

Motion made by Commissioner Jones and seconded by Commissioner Ponder to approve the monthly report of County Treasurer, Ad S. Rogers, for the month of October, 1947. Motion carried.

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 IN THE MATTER OF CANCELLING CHECKS:

Motion made by Commissioner Ponder and seconded by Commissioner Mankins that check #6234 drawn on the Titus County Maintenance Fund, on Aug. 12, 1947 payable to the order of Magnolia Pet. Company in the sum of \$5.83 and check #6259 drawn on the Titus County Maintenance Fund, Aug. 12, 1947, payable to the order of Magnolia Pet. Company in the sum of \$225.81 be ordered cancelled, and held for naught by the County Treasurer due to the fact that the accounts said checks were drawn for had previously been paid and that said checks had been in error issued. Upon being put to a vote, said motion unanimously carried.

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 IN THE MATTER OF SETTING UP SPECIAL ROAD FUND FOR PRECINCT #2:

Motion made by Commissioner Mankins and seconded by Commissioner Moore that whereas the Commissioner of Prec. 2 had used his equipment on the Blodgett FM road and had received the sum of \$636.16 from the contractor of said road, and whereas, a portion of said money, to-wit \$636.16 should be placed in a special account for the use of Precinct 2 for road maintenance and that the County Treasurer be directed to take the sum of \$636.16 from the Road and Bridge Fund and deposit same in a special account to be designated Precinct 2 Special Road Fund. Upon being put to a vote, said motion unanimously carried.

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## IN THE MATTER OF SETTING COMMISSIONERS SALARY:

Motion made by Commissioner Mankins and seconded by Commissioner Moore that whereas, the total assessed valuation of Titus County, Texas was during the year 1947 \$8,400,000.00 and was on the approval of the Tax Assessor-Collector rolls on October 15, 1947, \$9,212,400.00, and whereas, the salary of each Commissioner is set on the assessed valuation of the County as provided by Art. 2350, Revised Civil Statutes of Texas, and whereas, the valuation of Titus County is now over \$9,000,001.00 and less than \$10,000,000.00, the salary of each Commissioner should be \$166.66 per month; whereupon, motion was made by Commissioner Mankins and seconded by Commissioner Moore that each commissioner be paid the sum of \$166.66 per month out of the Road and Bridge Fund, beginning November 1, 1947. Upon being put to a vote, said motion unanimously carried.

## IN THE MATTER OF APPOINTING GUARDIAN AD LITEM FOR ROBERT D. HARPER, MINOR, IN CONDEMNATION SUIT:

It was called to the attention of the County Judge and the Commissioners Court that in a condemnation proceeding in which a Jury of View has heretofore been appointed by the Commissioners' Court to lay out a road across the land of Mary Hinton Davis, Robert D. Harper, Lois Davis Harper and H. H. Harper, and each of the said parties having been heretofore served with notice, it was suggested to the court that the said Robert D. Harper is a minor and is entitled to and should have an attorney and guardian ad litem. After consideration of this by said Court, motion was made by Commissioner Mankins and seconded by Commissioner Ponder that T. R. Florey, Jr., be appointed guardian ad litem and attorney at litem to protect and represent the said Robert D. Harper in said matter and that he receive a fee of \$25.00 for his services out of the Right-of-way Fund. Upon being put to a vote said motion was adopted by unanimous vote, which said action is ordered to be recorded on the minutes of this Court.

## IN THE MATTER OF CANVASSING SCHOOL CONSOLIDATION ELECTION - DISTRICTS 9 AND 14:

THE STATE OF TEXAS |

COUNTY OF TITUS |

BE IT REMEMBERED that on the 10th day of November, A. D. 1947, the Commissioners Court of Titus County meeting in its regular session for November, 1947, with all members of the court present when came on to be considered the matter of the canvass of the results of an election held on the 8th day of November, 1947, at the school houses in Union Common School District No. 9 in Titus County, Texas, and Chapel Hill Common School District No. 14 in Titus County, Texas, for the purpose of determining whether said districts should be consolidated for all school purposes; and as a result of such canvass the Commissioners Court finds as follows:

That this is the first meeting of the Commissioners Court of Titus County held after the said election;

That the presiding judges of each of said elections have made their returns to said court in the time and manner required by law;

That at the election held at the school house in Union Hill Common School District No. 9 there were cast 61 votes, of which 35 votes were in favor of consolidation and 26 votes were against consolidation;

That at the election held at the school house in Chapel Hill Common School District No. 14 there were 22 votes cast, of which 21 votes were in favor of consolidation and 1 vote against consolidation;

That a majority of the qualified voters voting in each of said districts favor consolidation of said school districts for all school purposes.

IT IS THEREFORE THE ORDER AND DECREE OF THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS, that the said consolidation election carried in both said districts and that hereafter Union Hill Common School District No. 9 of Titus County, Texas, and Chapel Hill Common School District No. 14 of Titus County, Texas, be, and they are hereby consolidated for all school purposes.

IT IS FURTHER ORDERED That this order be entered by the Clerk of the Court upon the minutes of the court.

IN THE MATTER OF REPORT OF JURY OF VIEW:  
TO THE HONORABLE COMMISSIONERS' COURT OF TITUS COUNTY:

The undersigned jurors, duly summoned and acting under the order of this court made on the 15th day of October, 1947, after having taken oath as required by law, did, on the 14 day of November, 1947, together with W. A. Burton, County Surveyor, proceed to lay out, survey and describe a road, to the greatest advantage of the public, and so that the same may be traced with certainty, beginning in the center of a County road and proposed Highway F.M. 71 at survey Station 0/00, being the intersection of the said county road and the Franklin-Titus County line and being the most westerly boundary line of the Welton Kelley tract of land and the R. H. Harper tract in the C. Paine survey, and terminating at the western limits of the J. C. Morris tract of land, in accordance with such order and the law, and at the same time did proceed to assess the damages incidental to the opening of said road, after having given notice in writing to the land-owners through whose land said road runs, the returns of such notices being hereto attached as a part of this report.

The field notes of said survey and description of said road are as follows:

BEGINNING in the center of a County road and proposed Highway F.M. 71 at survey station 0/00 being the intersection of the said County road and the Franklin-Titus County line and being the most westerly boundary line of the Welton Kelley tract and the R. H. Harper tract in the C. Paine Survey; THENCE N. 89° 36' E., 439.3 ft. along the center line of the said county road being the SB line of the Welton Kelley tract and the NB line of the R. H. Harper tract to the intersection of the said County road and east limit of the Welton Kelley tract and a west limit of the R. H. Harper tract, being station 4/39.3 equals 0/00 on the F.M. Highway 71 survey; THENCE N. 2° E. 30 ft. along the said E. limit of the Welton Kelley tract and the said west limit of the R. H. Harper tract to North right of way line of the said P.M. Hwy No. 71, being N 0° 24' W., 30 ft. from the center line of the said highway at survey station 4/39.3; THENCE N. 89° 36' E. 182.3 ft along the said north right of way line to a point being N. 0° 24' W. 30 ft. from the center line of the said highway at the P.C. of a curve to the right at survey station 1/82.3; THENCE in a southeastern direction 500.2 ft. along the said north right of way line being 30 ft from and parallel to a 6°-00' curve whose radius is 955 ft on the center line of the said highway to a point being N. 28° 42' E. 30 ft from the center line of the said highway at the P.C. or the end of the said curve at survey station 6/47.3; THENCE S. 61° 18' E. 275.3 ft along the said north right of way line to the center line of a north and south county road being the east limit of the R. H. Harper tract and the west limit of the Mrs. M. D. Coker tract being N. 28° 42' E., 30 ft from the center line of the said highway at survey station 9/22.6; THENCE S. 34.2 ft along the said county road and the east limit of the R. H. Harper tract to the center line of the said F. M. No. 71 Highway at survey station 9/39, continuing along this same course 34.2 ft or 68.4 ft in all from the said north right of way line to the south right of way line of the F.M. Highway No. 71 being S. 28° 42' W., 30 ft from the center line of the said highway at survey station 9/55.4; THENCE N. 61° 18' W., 308.1 ft. along the said south right of way line to a point being S. 28°

42' W. 30 ft from the center line of the said highway at the P. T. of the said curve at survey station 6/47.3; THENCE in a Northwestern direction 469.8 ft. along the said south right of way line of the highway being 30 ft from and parallel to the said 6° curve on the center line of the said highway, being S. 0° 24' E., 30 ft. from the P. C. of the said curve at survey station 1/62.3; THENCE S. 89° 38' W., 601.6 ft along the said south right of way line to the intersection of the Franklin-Titus County Line and the west limit of the tract being S. 0° 07' E., 30 ft from the center line of the said highway at survey station 0/00.1; THENCE N. 0° 07' W., 30 ft to the place of beginning, containing 1.595 acres of land more or less, of which 0.808 acres lies within the limits of the county road, leaving 0.787 acres of land more or less.

SECOND TRACT: BEGINNING in the center of F.M. Highway No. 71 at survey station 9/39 being the center of a north and south county road and being on the east limit of the R. H. Harper tract and the west limit of the Hughes tract in the C. Paine survey; THENCE N. 34.2 ft along the said east limit of the R. H. Harper tract and the west limit of the tract to the north right of way line of the F.M. Highway No. 71 being N. 28° 42' E., 30 ft from the center line of the said highway at survey station 9/22.6; THENCE S. 61° 18' E., 66.7 ft along the said north right of way line to a point being N. 28° 42' E., 30 ft from the center line of the said highway at the P.C. of a curve at survey station 9/89.3; THENCE in a southeastern direction 411.9 ft along the said north right of way line being 30 ft from and parallel to a 6° curve to the left whose radius is 955.0 ft to a point being N. 3° 11' E., 30 ft from the center line of the said highway at the P.T. of the said curve at survey station 14/14.6; THENCE S. 86° 49' E. 1,688.4 ft along the said north right of way line to the intersection with the eastern limits of the tract and the western limits of the J. C. Morris tract being N. 0° 45' W., 30 ft from the center line of the said highway at survey station 31/03; THENCE S. 0° 45' W., 30.1 ft along the said east limit of the tract to the center line of the said highway at survey station 31/05; THENCE N. 86° 49' W., 1890.4 ft along the center line of a county road and the said highway and the south limit of the tract and the tract and the north limit of the Hughes-King tract to the P.T. of the said 6° curve at survey station 14/14.6; THENCE N. 86° 49' W. 240 ft to intersection of the center line of the highway line produced, with the S. right of way of the 6° curve, said intersection being 30 ft at right angles from the center line; THENCE in a Northwesterly direction 30 ft from and parallel to the center of said highway 188 ft to the P.C. of the 6° curve, said point being 30 ft from the center line; THENCE NORTH 61° 18' W. 30 ft to the intersection of the said right of way with the east line of tract; THENCE NORTH 34.2 ft to the place of beginning.

And Robert D. Harper, Lois Davis Harper and husband, R. H. Harper, and Mary Hinton Davis, owners of land through which said road runs, having duly presented to us, at the time stated in such notice, statements of the damages claimed by them respectively, which are returned with this report, we assess their damages as follows:

\$30.00 for land taken and damages

10.00 for moving 300 feet of fence

as is shown more fully by the attached assessments.

All of which is respectfully submitted for the further order of this court.

This the 17th day of November, 1947.

Odell Belcher  
Will Sullivan  
Harmy Hughes

Claim of Robert D. Harper, Lois Davis Harper and R. H. Harper and Mary Hinton Davis as presented verbally to the jury of view on November 14, 1947:

Damages to land and building of fence \$300.00

## ASSESSMENT OF DAMAGES BY JURY OF VIEW:

\$30.00 for land taken and damages

10.00 for moving 300 feet of fence

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There being no further business before the Court, Motion was made by Commissioner Moore and  
seconded by Commissioner Ponder, to adjourn. Motion carried.  
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