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IN THE MATTER OF
HIRING FIRM FOR REDISTRICTING

No action taken. The County Judge will check into hiring a firm for redistricting.

IN THE MATTER OF
ADJOURNMENT

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas E. Hockaday to adjourn. Motion carried unanimously.

The above and foregoing minutes for the month of February, 1991 were read and approved this 11th day of March, 1991.

Alford L. Flanagan
ALFORD L. FLANAGAN, COUNTY JUDGE

J. W. Terrell
J. W. TERRELL, JR.
COMMISSIONER PRECINCT #3

Mike Price
MIKE PRICE
COMMISSIONER PRECINCT #1

Thomas E. Hockaday
THOMAS E. HOCKADAY
COMMISSIONER PRECINCT #4

Mike Fields
MIKE FIELDS
COMMISSIONER PRECINCT #2

Eugenia Roach
EUGENIA ROACH, COUNTY CLERK

COMMISSIONERS' COURT MINUTES FOR FEBRUARY, 1991 A.D.
RECORDED ON THE 12th DAY OF MARCH, 1991 A.D.

EUGENIA ROACH
COUNTY CLERK, TITUS COUNTY, TEXAS

BY Jean Crowe
DEPUTY COUNTY CLERK

COMMISSIONERS' COURT
REGULAR MEETING
MARCH 11, 1991

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in Regular Session on Monday, March 11th, 1991 in the Titus County Courtroom with the following members present:

ALFORD L. FLANAGAN	COUNTY JUDGE
MIKE PRICE	COMMISSIONER PRECINCT 1
MIKE FIELDS	COMMISSIONER PRECINCT 2
J. W. TERRELL, JR.	COMMISSIONER PRECINCT 3
THOMAS E. HOCKADAY	COMMISSIONER PRECINCT 4
EUGENIA ROACH	COUNTY CLERK

ABSENT: NONE
and the following proceedings were had to wit:

IN THE MATTER OF
APPROVING FEBRUARY, 1991 MINUTES

Motion was made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday approving the February, 1991 minutes. Motion carried unanimously.

IN THE MATTER OF
TEXAS UTILITIES MINING COMPANY CLOSING SEGMENTS OF
COUNTY ROADS NW - 33 AND NW - 16

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. approving accepting Texas Utilities Mining Company closing segments of county roads NW - 33 and NW - 16. Motion carried unanimously.

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RUSSELL, RUSSELL & WOOTTEN, P.C.
ATTORNEYS AT LAW
P.O. BOX 1135
116 EAST THIRD STREET
MT. PLEASANT, TEXAS 75456

TRAYLOR RUSSELL (1906-1983)
SAM W. RUSSELL
KERRY WOOTTEN

TELEPHONE
(214) 572-3553
FAX
(214) 572-7442

February 18, 1991

TO: County Judge and Commissioners' Court of Titus County, Texas

RE: Request to close, abandon and vacate certain segments of county roads in Titus County, Texas

Gentlemen:

Texas Utilities Mining Company (TUMCO) would show that it has coal and lignite leases on several thousand acres of land lying east and west of U.S. Highway 271 and U.S. Highway 271 Bypass in Titus County, Texas. In order to effectively carry out its mining program, it will be necessary that certain segments of county roads located within TUMCO's proposed mining area be closed, abandoned and vacated. Pursuant to authority vested in the Commissioners' Court under Articles 2351(2) and 6702-1, Sec. 2.002, V.A.T.S., TUMCO respectfully requests the Commissioner's Court of Titus County, Texas, to close, abandon and vacate the following described segments of county roads located in Titus County, Texas, identified in items (1) and (2), below:

(1) TUMCO requests the closure, abandonment and vacation of a segment of a county road, identified as County Road NW-33, beginning at the southern most southeast corner of a tract of land conveyed to Texas Utilities Mining Company by Harry C. Farragh, as recorded in Vol. 590, Page 183 of the Deed Records of Titus County, Texas, continuing in an easterly direction along NW-33 approximately 0.04 miles to a curve to the left, then in a northerly direction approximately 0.25 miles to the intersection of County Road NW-33 and U.S. Highway 271, said segment being marked as Road #1 on the map attached hereto as Exhibit #1; and,

(2) TUMCO requests the closure, abandonment and vacation of a segment of a county road, identified as County Road NW-16, beginning at the southeast corner of a tract of land conveyed to Texas Utilities Mining Company by Alton J. McBeth, as recorded in Vol. 608, Page 193 of the Deed Records of Titus County, Texas, continuing in an easterly direction approximately 0.1 miles to the intersection of County Road NW-16 and U.S. Highway 271, said segment being marked as Road #2 on the map attached hereto as Exhibit #1;

TUMCO requests that the Commissioners' Court of Titus County, Texas, adopt and enter an order which closes, abandons and vacates the segments of county roads identified in items (1) and (2), above, subject to and effective upon the completion of the construction of the road marked as Road #4 on the map attached hereto as Exhibit #1 which was approved for construction by the Commissioners' Court of Titus County, Texas, at its meeting on August 27, 1990, as evidenced by an order thereafter entered which reflected the action taken at said meeting.

In the event that there are individuals living on lands in the vicinity of the roads for which closure, abandonment and vacation is being requested, no such resident or landowner will be denied access to their property. TUMCO would further show that they own the lands located on both sides of the segments of county roads sought to be closed, abandoned and vacated.

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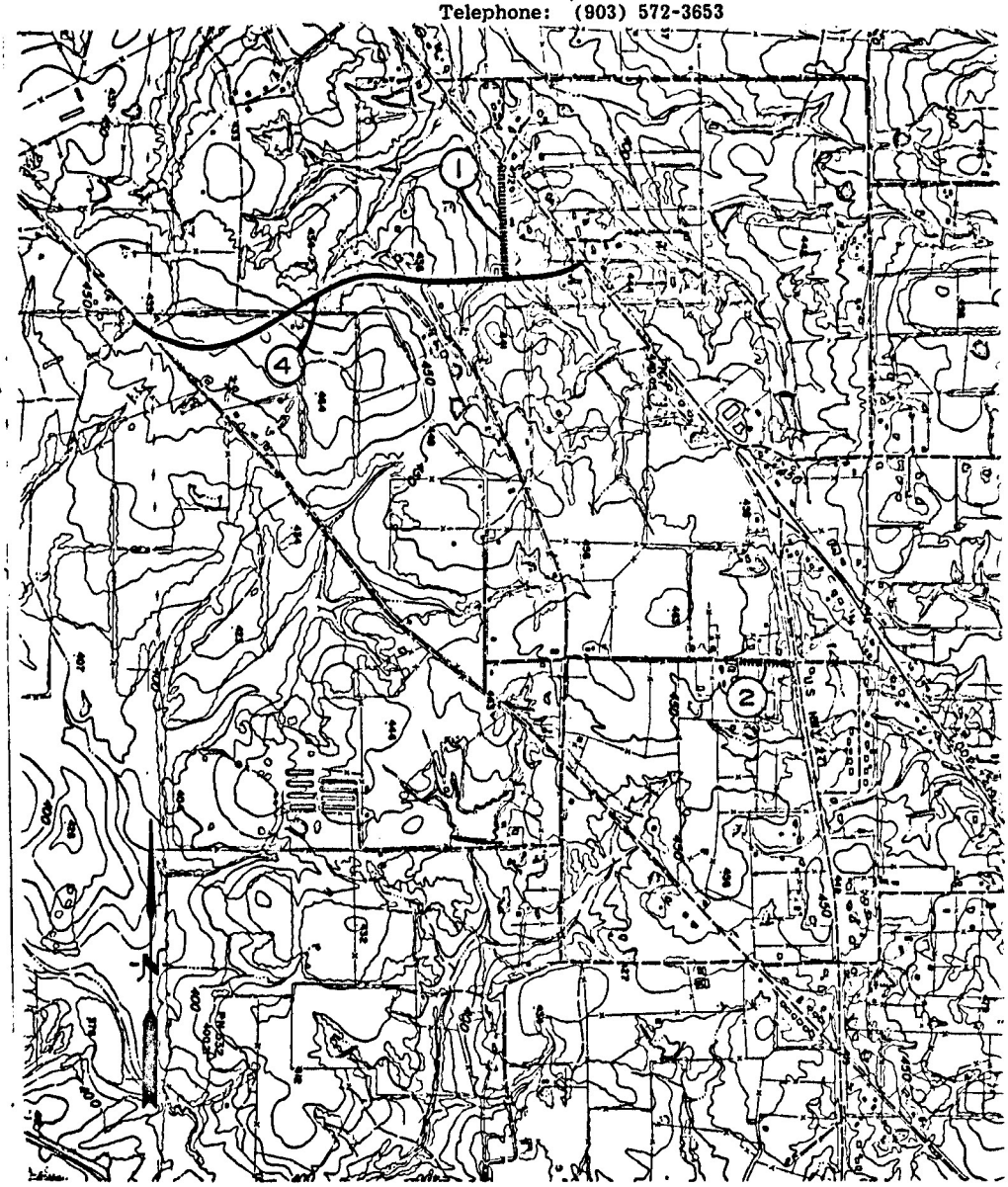
The roads sought to be closed, abandoned and vacated have not been classified by the Commissioners' Court, and TUMCO would represent that the public interest will be better served by closing, abandoning and vacating the segments of the roads in question in order that the area may be mined and that the coal and lignite lying in, on and under such segments of county roads and the surrounding area may be removed.

Respectfully submitted,

TEXAS UTILITIES MINING COMPANY

By: Sam W. Russell
Sam W. Russell, Attorney

RUSSELL, RUSSELL & WOOTTEN, P.C.
P. O. Box 1135
Mt. Pleasant, Texas 75455
Telephone: (903) 572-3653



Closed Roads
Proposed Road Construction

EXHIBIT #1

ORDER VOL 13 PAGE 153

THE STATE OF TEXAS *

COUNTY OF TITUS *

BE IT REMEMBERED that the Commissioners Court of Titus County met in Regular Session on March 11, 1991, after notice of the meeting had been posted in the form, manner and place required by law, with a quorum of its members present and participating in the meeting when, among other matters, the following came on to be considered, and action taken thereon, to-wit:

Came on to be considered, pursuant to Articles 2351(2) and 6702-1, Section 2.002, V.A.T.S., the request of TEXAS UTILITIES MINING COMPANY to close, abandon, and vacate certain segments of two (2) county roads located west of U.S. Highway 271 in Titus County, Texas, more particularly described as follows:

(1) The first such segment being a part of a county road, identified as County Road NW-33, beginning at the southern most southeast corner of a tract of land conveyed to Texas Utilities Mining Company by Harry C. Farragh, as recorded in Vol. 590, Page 183 of the Deed Records of Titus County, Texas, continuing in an easterly direction along NW-33 approximately 0.04 miles to a curve to the left, then in a northerly direction approximately 0.25 miles to the intersection of County Road NW-33 and U.S. Highway 271, said segment being marked as Road #1 on the map attached hereto as Exhibit #1; and,

(2) The second such segment being a part of a county road, identified as County Road NW-16, beginning at the southeast corner of a tract of land conveyed to Texas Utilities Mining Company by Alton J. McBeth, as recorded in Vol. 608, Page 193 of the Deed Records of Titus County, Texas, continuing in an easterly direction approximately 0.1 miles to the intersection of County Road NW-16 and U.S. Highway 271, said segment being marked as Road #2 on the map attached hereto as Exhibit #1.

After consideration of said request and hearing remarks from Texas Utilities Mining Company and interested citizens from within the county, upon motion duly made by Commissioner Mike Price and seconded by Commissioner Mike Fields, the following Order was adopted by the Commissioners Court of Titus County, Texas, to-wit:

IT IS, HEREBY, ORDERED BY THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS:

-1-

That the following described segments of county roads located in Titus County, Texas, shall be closed, abandoned, and vacated at such time when the construction of the road which is identified as Road #4 on the map attached hereto as Exhibit #1 is completed and accepted by the Commissioners Court of Titus County, Texas:

(A) That segment of County Road NW-33, beginning at the southern most southeast corner of a tract of land conveyed to Texas Utilities Mining Company by Harry C. Farragh, as recorded in Vol. 590, Page 183 of the Deed Records of Titus County, Texas, continuing in an easterly direction along NW-33 approximately 0.04 miles to a curve to the left, then in a northerly direction approximately 0.25 miles to the intersection of County Road NW-33 and U.S. Highway 271, said segment being marked as Road #1 on the map attached hereto as Exhibit #1; and,

(2) That segment of County Road NW-16, beginning at the southeast corner of a tract of land conveyed to Texas Utilities Mining Company by Alton J. McBeth, as recorded in Vol. 608, Page 193 of the Deed Records of Titus County, Texas, continuing in an easterly direction approximately 0.1 miles to the intersection of County Road NW-16 and U.S. Highway 271, said segment being marked as Road #2 on the map attached hereto as Exhibit #1.

Further, that said Road #4, as so identified on the map attached hereto as Exhibit #1, is to be constructed prior to the closure, abandonment, and vacation of the above-described segments of county roads, said construction having been heretofore approved by the Commissioners' Court of Titus County, Texas, at its meeting held on August 27, 1990, as evidenced by the order thereafter entered which reflected the action taken at said meeting.

Upon a vote, all voted "aye", and none voted "no", and the County Judge declared the Order passed, approved, and adopted as of the 11th day of March, 1991.

Signed, entered and ordered filed this 12 day of March, 1991.

Alford L. Flanagan, County Judge

ATTEST:

Eugenia Roach, County Clerk

IN THE MATTER OF
PURCHASING THE TAX ASSESSOR A PRINTER

Motion was made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday to purchase a printer for the Tax Assessor. Motion carried unanimously.

IN THE MATTER OF
TITUS COUNTY WELFARE BOARD

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. to allow the District Court to give information to jurors that they can donate the $10.00 they earn for serving on a jury to the Titus County Welfare Board subject to the approval of the District Judges. Motion carried unanimously.

IN THE MATTER OF
PAYING PAUPER'S FUNERAL
FOR MARTIN GUTIERREZ

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Thomas E. Hockaday approving paying a pauper's funeral for Martin Gutierrez for $950.00. Motion carried unanimously.

IN THE MATTER OF
TASK FORCE FOR DRUG ENFORCEMENT

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price approving the Sheriff's Department entering into an agreement for participation in a task force for drug enforcement. Motion carried unanimously.

CITY OF

STATE OF TEXAS

RESOLUTION

WHEREAS, the Office of the Governor of the State of Texas, Criminal Justice Division is administering assistance for the purpose of the Texas Narcotics Control Program; and,

WHEREAS, the City of Sulphur Springs and COUNTY OF TITUS have entered into an agreement to participate in the Texas Narcotics Control Program by forming the Tactical Narcotics Team, hereinafter known as TNT; and

WHEREAS, the TNT through its desire to contract with TITUS COUNTY enter into an agreement to provide drug enforcement for the COUNTY OF TITUS;

BE IT RESOLVED BY THE COMMISSIONERS COURT OF TITUS COUNTY;

1. That the SHERIFF of TITUS COUNTY, State of Texas, is encouraged to enter into an agreement with the TNT and its member agencies for assistance in drug enforcement in TITUS COUNTY, Texas.

2. That SHERIFF be, and he is hereby appointed as the Authorized Official of said project and is authorized and directed to execute on behalf of TITUS COUNTY the contractual agreement with the TNT.

Passed and adopted this the 11TH day of MARCH, 1991.

Attest:

IN THE MATTER OF
APPROVING THE REPORTS OF OFFICIALS

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Fields approving the reports of officials. Motion carried unanimously.

IN THE MATTER OF
PAYING BILLS AND SIGNING PAY ORDERS

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Thomas E. Hockaday to approve paying bills and signing pay orders. Motion carried unanimously.

IN THE MATTER OF
COUNTY HOSPITALIZATION INSURANCE

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Fields approving the elected and appointed officials to go on the County Hospitalization Insurance on the first day they take office. Motion carried unanimously.

IN THE MATTER OF
ADJOURNMENT

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. to adjourn. Motion carried unanimously.