

**COMMISSIONERS' COURT
SPECIAL MEETING
MARCH 27, 1995**

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in *Special Session* on Monday, March 27, 1995, in the Titus County Courtroom with the following members present:

DANNY P. CROOKS.....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
JEAN CROVER.....DEPUTY COUNTY CLERK

ABSENT: NONE

PUBLIC AND COUNTY OFFICIALS ATTENDING MEETING:

CARL JOHNSON, AUDITOR
JOHN A. MOSS, SHERIFF
TIM TAYLOR, COUNTY ATTORNEY
GENE ALEXANDER, JUSTICE OF THE PEACE, PRECINCT 2

TOBY ABNEY
BOB JONES

MIKE ROSS

**IN THE MATTER OF
CONSIDERING RESOLUTION RENEWING TAX
ABATEMENT INCENTIVES AND DESIGNATING
A CERTAIN AS TAX ABATEMENT REINVESTMENT ZONE NO. 1**

Toby Abney presented the Court a copy of new zones that he would like for abatement incentives and reinvestment zone to be expanded. Mr. Abney pointed out new job opportunities could be visualized by granting the tax abatements to existing companies and prospective companies.

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to renew and expand the abatement incentives and designate the reinvestment zone as present to the Court by Mr. Toby Abney. Motion carried unanimously. *SEE ATTACHMENT "A"*

IN THE MATTER OF
APPROVING PROCLAMATION OF APRIL
AS FAIR HOUSING MONTH

Bob Jones spoke with the Court on the fair housing for all Americans.

Motion was made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday approving the Proclamation Of April As Fair Housing Month. Motion carried unanimously. *SEE ATTACHMENT "B"*

IN THE MATTER OF
DISCUSSING MAINTENANCE AGREEMENT FOR
T-LETS COMPUTER SYSTEM FOR THE SHERIFF'S DEPARTMENT

T-Lets computer system for the Sheriff's Department is the hook up with all local, state and national law enforcement agencies according to the Sheriff. Sheriff Moss, explained when the computer goes down without the maintenance agreement; time off the line becomes to long. Sheriff Moss said, "The service department requires a purchase order number for the \$50.00 service charge up front." "It is hard to receive a purchase order at night or week-ends when the rest of the county offices are closed," said John Moss. The Court addressed the Sheriff as to the cost of the maintenance agreement. He replied, "I believe the cost would be \$1,950.00." The Sheriff did ask the Court to table the matter until the next meeting to give him time to look over the agreement and to make his recommendation.

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Thomas E. Hockaday to table this matter until the next meeting.

IN THE MATTER OF
CONSIDERING LOANING REPAYMENT OF TEXAS
CAPITAL FUNDS IN THE AMOUNT OF \$450,000.00 TO
METAL INDUSTRIES, INC.

Bob Jones spoke on the State Capital Funds given to Counties to encourage new jobs. These are State Funds given to counties who apply for them. The funds would allow Titus County to loan \$450,000.00 to Metal Industries, Inc. There would be enough funds left to help another small business, according to Mr. Jones.

Commissioner Mike Fields asked, "Mr. Jones, is this a public hearing?" Mr. Jones answered, "Yes, this is a public hearing and a legal notice of the hearing was published in the Mt. Pleasant Daily Tribune." Bob Jones then presented a copy of the notice to Jean Crover, Deputy County Clerk for the minutes. *SEE ATTACHMENT "C"*

The Court went into Executive Session at 9:50 A.M. Court reconvened at 10:00 A.M.

No action was taken at Executive Session. The Court then recessed until 3:00 P.M.

IN THE MATTER OF
APPROVING BUDGET AMENDMENTS

Auditor Carl Johnson presented the Court with budget amendments' number 38 through 44. These amendments can be seen in the Auditor's office.

Motion was made by Commissioner Mike Price and seconded by Commissioner Mike Fields to approve the budget amendments. Motion carried unanimously.

IN THE MATTER OF
APPROVING COUNTY OFFICIAL REPORTS

The Court received no reports therefore no action was taken.

IN THE MATTER OF
SIGNING PAY ORDERS AND PAYING BILLS

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Fields to sign pay orders and pay bills. Motion carried unanimously.

IN THE MATTER OF
CONSIDERING PURCHASE OF
PC COMPUTER FOR JUSTICE OF THE PEACE,
PRECINCT 2

Precinct 2 Justice of the Peace, Gene Alexander asked the Court to allow him to purchase a PC computer for his office. Mr. Alexander said, "I have \$500.00 in my Defensive Driving Funds that could be applied to the cost of \$1,936.00." He proposed the remaining \$1,436.00 be loaned from the General Fund. He would then pay back the loan with other Defensive Driving Funds as they became available. He felt the loan could be paid back by the end of the year.

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner J. W. Terrell, Jr. to approve Gene Alexander's request to purchase of a PC computer through his Defensive Driving Fund. Also to allow Mr. Alexander to pay \$500.00 now and loan him the \$1,436.00 from the General Fund to be paid back through his Defensive Driving Funds. Motion carried unanimously.

IN THE MATTER OF
CONSIDERING APPLICATIONS FOR PAYMENT
OF PAUPER'S FUNERAL JERRY W. PARKS AND DOLLIE K.
TOMPKINS

County Judge Danny P. Crooks presented to the Court his research on the two applications. Mr. Crooks stated that Jerry W. Parks had no property of record. Therefore, he recommended approval of the application. Mr. Crooks

remarked that Dollie K. Tompkins had 30 acres of property in Titus County as recorded in Volume 449 Page 713 of Titus County deed records. It was his recommendation to reject the application of Dollie K. Tompkins.

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Fields to approve the pauper's funeral for Jerry W. Parks for \$950.00 to Bates-Cooper-Weems-Robison Funeral Home. The pauper's funeral for Dollie K. Tompkins to be rejected. Motion carried unanimously. *SEE ATTACHMENT "D"*

**Commissioners' Court resumed at 3:00 P.M.
with the following members
present.**

DANNY P. CROOKS.....COUNTY JUDGE
MIKE FIELDS.....COMMISSIONER PRECINCT 2
J. W. TERRELL, JR.....COMMISSIONER PRECINCT 3
THOMAS E. HOCKADAY.....COMMISSIONER PRECINCT 4
JEAN CROVER.....DEPUTY COUNTY CLERK

ABSENT: COMMISSIONER MIKE PRICE

PUBLIC AND COUNTY OFFICIALS ATTENDING MEETING:

TIM TAYLOR, COUNTY ATTORNEY

BOB JONES	KIRBY BROSIUS
SAM SITLINGER	SHELIA PRICE

**IN THE MATTER
CONSIDERING LOANING REPAYMENT OF TEXAS
CAPITAL FUNDS IN THE AMOUNT OF \$450,000.00 TO
METAL INDUSTRIES, INC.**

Bob Jones said, "The loan is for improvements and expansion of Kwik - Way a division of Metal Industries, Inc. of California." Metal Industries, Inc. purchase of Kwik-Way allows existing jobs to remain and create future jobs according to Mr. Jones.

Mr. Jones then introduced Mr. Sam Sitlinger, Vice President Of Manufacturing and Mr. Kirby Brosius, Chief Finical Advertiser for Metal Industries, Inc. of California.

Mr. Sitlinger took the floor to give a brief history of his company and future plans. Metal Industries, Inc. was founded in 1947 in Clear Water, Florida. It expanded to the West Coast in 1950. At the present time the company has around 15 manufacturing plants across the U.S.A. Most of these plants are located in small communities like Mt. Pleasant, Texas. One of these plants is located at Van Alstyne, Texas.

Mr. Sitlinger said, "Kwik-Way well compliments the Metal Industries, Inc. by adding a wood door division to our existing metal doors. Fifty percent of the sales from this plant will be to other Metal Industries division for retail sales at such places as Home Depot."

Mr. Sitlinger remarked their company is looking to expand this plant within the next two years.

At this moment Mrs. Price commented that Kwik-Way employees around 160 with a payroll of \$200,000.00 yearly which is spent here in this community. She explained that an additional 40 jobs could be available with the expansion.

The Court went into Executive Session at 3:10 P.M. The Court reconvened at 3:25 P.M.

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Thomas E. Hockaday to approve loaning repayment of Texas Capital Funds in the amount of \$450,000.00 to Metal Industries, Inc. of California. Motion carried unanimously.

IN THE MATTER OF
ADJOURNMENT

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

ATTACHMENT "A"

ORDINANCE NO.

AN ORDINANCE OF THE COUNTY OF TITUS RENEWING TAX ABATEMENT INCENTIVES AND ADOPTING GUIDELINES AND CRITERIA DESIGNATING A CERTAIN AREA AS TAX ABATEMENT REINVESTMENT ZONE NUMBER ONE (1) FOR COMMERCIAL AND INDUSTRIAL TAX ABATEMENT ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO.

WHEREAS, the Commissioners' Court of Titus County, Texas (the "County") desire to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone for commercial - industrial tax abatement, as authorized by article 1066f, Vernon's Texas Civil Statutes (the "Act"); and

WHEREAS, by the original Resolution was duly adopted by the County on the 21st day of November, 1989, a hearing before Titus County and the City Council was set for 5:30 p.m. on the 21st day of November, such date being at least seven days after the date of publication of the notice of such public hearing; and

WHEREAS, the County held such public hearing after publishing notice of such public hearing, and giving written notice to all taxing units overlapping the territory inside the proposed reinvestment zone; and

WHEREAS, the County at such hearing invited any interested person or his attorney, to appear and contend for or against the creation of the reinvestment zone, whether all or part of the territory described in the ordinance calling such hearing should be included in such reinvestment zone, the concept of tax abatement; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents of the reinvestment zone appeared to contest creation of the reinvestment zone.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS, THAT:

SECTION 1

That the facts and recitations contained in the preamble of the Ordinance are hereby found and declared to be true and correct.

SECTION 2

That the County adopts as abatement guidelines the Statement of Incentives enclosed as ATTACHMENT 2.

SECTION 3

The County, after conducting such hearings and have heard such evidence and testimony, has made the following findings and determinations based on the testimony presented to it:

- A. That a public hearing on the adoption of the reinvestment zone has been properly called, held and conducted and that notices of such hearings have been published as required by law and mailed to all taxing units overlapping the territory inside the proposed reinvestment zone.
- B. That the boundaries of the reinvestment zone should be the area as described in the enterprise zone description attached hereto as ATTACHMENT 1.
- C. That creation of the reinvestment zone for commercial - industrial tax abatement with boundaries as described in ATTACHMENT 1 will result in benefits to the County and to the land included in the zone and the improvements sought are feasible and practical.
- D. That the reinvestment Zone, as defined in ATTACHMENT 1 meets the criteria for the creation of a reinvestment zone as set forth in Section 3 of the Act in that it is "reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the County".

SECTION 4

That pursuant to Section 5 of Article 1066f, Vernon's Texas Civil Statutes, the County hereby creates a reinvestment zone for commercial - industrial tax abatement encompassing only the area described by ATTACHMENT 1 attached hereto and such reinvestment zone is hereby designated and shall hereafter be designated as Reinvestment Zone Number One, Titus County, Texas.

SECTION 5

That the original Zone took effect on November 21, 1989, and terminated on November 21, 1994, that the renewed zone takes effect November 21, 1994 and terminates on November 21, 1999, or at an earlier time designated by subsequent ordinance.

SECTION 6

That to be considered for execution of an agreement for tax abatement the commercial - industrial project shall:

- A. Be located wholly within the Zone as established herein.
- B. Not include property that is owned or leased by a member of the Commissioners' Court of Titus County.
- C. Conform to the requirements of the County's Zoning Ordinance and all other applicable laws and regulations.

SECTION 7

That written agreements with property owner(s) located within the zone shall provide the terms regarding duration of exemption and share a taxable real property value exempt from taxation as shown in ATTACHMENT 2.

SECTION 8

That written agreements under Section 2(a) of the Act must include provisions for:

- A. Listing the kind, number and location of all proposed improvements of the property.
- B. Access to and inspection of property by municipal employees to ensure that the improvements or repairs are made according to the specification and conditions of the agreements.
- C. Limiting the uses of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect.
- D. Recapturing property tax revenue lost as a result of the agreement of the owner of the property fails to make the improvements or repairs as provided by the agreement.

SECTION 9

If any of this section, subsection, sentence, clause, phase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such

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portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

PASSED, ADOPTED AND APPROVED THIS THE 27 DAY OF
MARCH.

Danny P. Crooks
Danny P. Crooks, Titus County Judge

ATTEST: Sherry Mars, Co. Clerk
By Jeanne Crooks, Deputy Clerk
Sherry Mars, Titus County Clerk

GUIDELINES AND CRITERIA
Tax Abatement in Titus County, Texas

DEFINITIONS - Section 1

- a.) "Abatement" means the full or partial exemption from ad valorem taxes of certain real property as defined in the Texas Property Tax Code and shall include personal property as defined in said code. In a reinvestment zone designated by an affected jurisdiction for economic development purposes.
- b.) "Affected Jurisdiction" means the County of Titus and any governmental entity or school district, the majority of which is located in Titus County that levies ad valorem taxes upon and provides services to property located within the proposed or existing reinvestment zone designated by the County of Titus.
- c.) "Agreement" means written contractual agreement between a property owner and/or leasee and an affected jurisdiction for the purpose of tax abatement.
- d.) "Base Year Value" means the assessed value of eligible property January 1 preceding the execution of the agreement plus (if applicable) the agreed upon value of eligible property improvements made after January 1 but before the execution of the agreement.
- e.) "Expansion" means the addition of buildings, structures, machinery or equipment for purposes of increasing capacity.
- f.) "Facility" means property improvements completed on commercial and industrial buildings and structures including machinery and equipment.
- g.) "Improvements" shall include for the purpose of establishing for the eligibility under subsections 7(b), any activity at the location including but not limited to repairs to existing structures, new construction or the demolition of unneeded structures.
- h.) "Reinvestment Zone" is a specific parcel of property designated by the City or the County (as applicable) within which a tax abatement can be granted.

ABATEMENT AUTHORIZED - Section 2

- a.) **Authorized Facility.** A facility may be eligible for abatement if it is a commercial or industrial facility, including retail establishments.
- b.) **Creation of New Value.** Abatements may only be granted for the additional value of eligible property improvements made

subsequent to and specified in an abatement agreement between the affected jurisdiction and the property owner or leasee subject to such limitations as the governing bodies may require.

- c.) **New and Existing Facilities.** Abatement may be granted for new facilities and improvements to existing facilities for the purpose for modernization or expansion.
- d.) **Eligible Property.** Abatement may be extended to the value of building structures, fixed machinery and equipment, site improvements, plus that office space and related fixed improvements necessary to operation and administration of the business.
- e.) **Ineligible Property.** The following property shall be fully taxable and ineligible for tax abatement: Private residences, multi-family dwellings, apartment complexes, inventories, rolling stock, property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas.
- f.) **Terms of Abatement.** Abatement shall be granted effective with the January 1 valuation date immediately following the completion of the value added project prior to going on the tax rolls.
- g.) **Economic Qualifications.** Any business existing in the County which relocates from an existing location outside the boundaries of the reinvestment zone to a location within the reinvestment zone shall be eligible for tax abatement based on value added at the new location.
- h.) **Maximum Available Abatement.** Taxes shall be abated for a period of seven years from the time such improvements are added to the tax rolls of the various entities.
- i.) **Non-Transferability.** In the event property is sold which is under a tax abatement agreement, said agreement shall terminate and the abated property shall become fully taxable the the year in which the sale is consummated and all subsequent years.

APPLICATION - Section 3

- a.) Any present or potential owner of taxable property in an affected jurisdiction may request the creation of a reinvestment zone and tax abatement by filing a written request with the affected jurisdiction and attaching a plat and metes and bounds description effectively describing the said reinvestment zone.
- b.) The application shall consist of a completed application form

accompanied by: a general description of the proposed use and the general nature and extent of the modernization, expansion or new improvements to be undertaken; a descriptive list of the improvements which will be a part of the facility, a map and property description, and a time schedule for undertaking and completing the planned improvements.

- c.) The initial application for the creation of a "Reinvestment Zone" and tax abatement shall be made to the designated administrative liaison who is appointed jointly by the Mayor of the City of Mount Pleasant and the County Judge of Titus County. The reinvestment zone governing body shall provide the affected jurisdiction a feasibility study setting out the impact of the proposed new reinvestment zone area.

PUBLIC HEARING - Section 4

- a.) Should any affected jurisdiction be able to show just cause in its public hearing why the granting of an abatement will have a substantial adverse effect on its bonds, tax revenue, service capacity or the provision of service, that showing shall be the reason for the governing body to deny any designation of the reinvestment zone, the granting of abatement or both.
- b.) Neither the reinvestment zone nor the abatement agreement shall be authorized if it is determined that: (1) there would be a substantial adverse affect on the provision of government service or tax base; (2) the applicant has insufficient financial capacity; (3) planned or potential use of property would constitute a hazard to public safety, health or morals; or (4) violation of other codes and laws.

AGREEMENT - Section 5

- a.) That pertinent to Section 5 article 1066(f), Vernon's Texas Civil Statutes, the County of Titus agrees to create a reinvestment zone for commercial and industrial tax abatement encompassing only the area described in ATTACHMENT 1.

RECAPTURE - Section 6

- a.) In the event that a facility is completed and begins business but subsequently discontinues business for any reason except a natural disaster for a period of one year during the abatement period then the abatement agreement shall terminate and so shall the abatement of the taxes for the current and future calendar years during which the business no longer operates. The taxes which were to be abated for that calendar year shall be paid to the affected taxing authorities within 60 days from termination.
- b.) Should the governing body determine that the company or individual is in default according to the terms and conditions

of its agreement, the governing body shall notify the company or individual in writing at the address stated in the agreement and if such is not cured within 60 days from the date of such notice ("Cured Period"), then the agreement shall be terminated.

- c.) In the event that the company or individual: (1) allows its unabated ad valorem taxes owed any of the affected jurisdictions to become delinquent and fails to timely and properly follow the legal procedure for their protests or contests; and/or (2) fails to continue to operate beyond the terms of abatement for a period half as long as the abatement; or (3) violates any of the terms and conditions of the abatement agreement with any of the affected jurisdictions and fails to cure during the "Cure Period", the agreement then shall be terminated by every affected jurisdiction and all taxes previously abated by virtue of every agreement will be recaptured by each affected jurisdiction and shall be paid by applicant to each affected jurisdiction within 60 days of the termination.

ADMINISTRATION - Section 7

- a.) The Chief Appraiser of the County shall annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving abatement shall furnish the assessor with such information as may be necessary for abatement. Once value has been established, the Chief Appraiser shall notify the affected jurisdictions which levies taxes on the amount of the assessment.
- b.) The agreement shall stipulate that the employees and/or designated representatives of the affected jurisdictions will have access to the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after giving twenty-four (24) hours prior notice and will only be conducted in such manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the company or individuals in accordance with its safety standards.
- c.) Upon completion of construction, the affected jurisdictions shall annually evaluate each facility and report possible violations to the contract and agreement to the governing bodies and its attorneys.

SUNSET PROVISION - Section 8

- a.) These Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two years at which time all reinvestment zone and tax abatement contracts created

pursuant to its provisions will be reviewed by the governing bodies to determine whether the goals have been achieved. Based on that review, the Guidelines and Criteria will be modified, renewed or eliminated providing that such actions shall not affect existing contracts.

ATTACHMENT 1

Reinvestment Zone Boundaries

The area of the proposed reinvestment zone is as follows:

For a 17.9 square mile tract of land consisting of approximately 11,450 acres more or less, located within the City of Mount Pleasant and extending into Titus County, Texas and particularly described as follows:

Beginning at the intersection of U. S. Highway 271 South and Cypress Creek.
Thence north on U. S. 271 approximately 4,200 feet to the proposed relocated SE 12 located south of the end of the proposed Airport Runway.
Thence east on relocated SE 12 approximately 4,000 feet then northerly approximately 4,800 feet to the intersection of old SE 12 and SE 1.
Thence north approximately 2,300 feet on SE 1.
Thence west on SE 1 1,300 feet.
Thence north 1,300 feet on SE 1.
Thence west on SE 1 800 feet.
Thence north on SE 1 1,300 feet to the intersection of SW 48.
Thence west on SW 48 2,600 feet to Highway 271.
Thence north on U. S. 271 approximately 1.7 miles to Patrick Street.
Thence west on Patrick Street 1,400 feet more or less to the St. Louis Southwestern Railroad.
Thence north on St. Louis Southwestern Railroad approximately 2 miles to the intersection of East 7th Street.
Thence east on East 7th Street 600 feet more or less to the intersection of North Lide Avenue.
Thence north on North Lide Avenue 300 feet more or less to the intersection of East 8th Street.
Thence east on East 8th Street approximately one mile to Cecelia Drive.
Thence south on Cecelia Drive 300 feet more or less to the intersection of 4th Street.
Thence east on 4th Street 600 feet more or less to the intersection of Carr Drive.
Thence south on Carr Drive 1,650 feet more or less to the intersection of East 1st Street.
Thence east on East 1st Street 5,600 feet more or less to the crossing of Haynes Creek.
Thence north along Haynes Creek approximately 1.1 miles to the St. Louis Southwestern Railroad.
Thence east along the Railroad 3,700 feet more or less to SE 7.
Thence north to U. S. 67 on SE 7 5,700 feet more or less.

Thence west on U. S. 67 approximately 600 feet to the intersection of FM 1001.
 Thence in a northeasterly direction along FM 1001 for approximately 1.1 miles to the intersection of I-30 north side access road.
 Thence west along the north side access road of Interstate 30 approximately 4.1 miles to the intersection of FM 1734.
 Thence northwesterly on FM 1734 approximately 1.1 miles to the intersection of 271 North.
 Thence north on U. S. 271 approximately 1.5 miles to the intersection of County Road NW-12.
 Thence west on NW-12 300 feet more or less to Tankersley Creek.
 Thence south along Tankersley Creek approximately 1.2 miles to the intersection of 1734.
 Thence along the south side of 1734 3,300 feet more or less to the Tankersley Lake.
 Thence from Tankersley Lake 1.4 miles southwesterly around the lake across the dam approximately 1.4 miles to the north side access road of Interstate 30.
 Thence west on the north side of access road of I-30 approximately 1.2 miles to the intersection of the St. Louis Southwestern Railroad.
 Thence west along the St. Louis Southwestern Railroad approximately 3.2 miles to the intersection with Texas Utilities Railroad.
 Thence across Interstate 30 on Texas Utilities Railroad for 1,600 feet more or less to the south side access road.
 Thence east on the south side access road approximately 4.8 miles to Tankersley Creek.
 Thence south along Tankersley Creek approximately 7.5 miles to the intersection of Cypress Creek.
 Thence east along Cypress Creek 2,800 feet more or less to the intersection of Highway 271 South.

The only portion of the above described area not included in the proposed enterprise zone is described as follow:

Beginning at the intersection of Ferguson Road and Gibson Street.
 Thence north on Gibson Street 3,950 feet more or less Highway 67.
 Thence east on Highway 67 3,000 feet more or less to Mulberry Street.
 Thence south on Mulberry Street 350 feet more or less to 15th Street.
 Thence west on 15th Street 300 feet more or less to Memorial Street.
 Thence south on Memorial Street 1,300 feet to 12th Street.
 Thence east on 12th Street 1,200 feet more or less to North Jefferson.

Thence north on North Jefferson 900 feet more or less to 14th Street.

Thence east on 14th Street 1,000 feet more or less to Washington Street.

Thence south on Washington Street 1,200 feet more or less to 9th Street.

Thence west on 9th Street 650 feet more or less to North Jefferson.

Thence south on North Jefferson 900 feet more or less to 6th Street.

Thence west on 6th Street 875 feet more or less to Johnson Avenue.

Thence south on Johnson Avenue 2,310 feet more or less to Ferguson Road.

Thence west on Ferguson Road 3,300 feet more or less to the beginning point at Gibson Street.

ATTACHMENT 2

IN RE:
MOUNT PLEASANT, TITUS COUNTY, TEXAS
REINVESTMENT ZONE #1

STATEMENT OF INCENTIVES FOR BUSINESS
ESTABLISHING LOCATING IN
REINVESTMENT ZONE # 1

I. STATEMENT OF INTENTIONS.

The Titus County Commissioners' Court and City Council of the City of Mount Pleasant have concurred on the intent to establish an Reinvestment Zone as authorized by the Texas Reinvestment Zone Act, Article 1066f, Vernon's Ann. Civil Statutes. As authorized by the Act, certain incentives will be available to the Qualifying Businesses which choose the locate within the designated area.

II. QUALIFYING BUSINESSES.

- A. Location. To be eligible for any incentive, a business must locate within the boundaries as established by the County of Titus and City of Mount Pleasant, Texas, as approved by the Texas Department of Commerce. The area designated is shown as EXHIBIT "1" to this statement.
- B. Restrictions of Type of Entities Qualifying. A Qualifying Business shall include any industrial concern, manufacturing concern, or wholesale or retail concern locating within the boundaries of the Reinvestment Zone. Private residences, multifamily dwellings, or apartments locating within the boundaries of the Reinvestment Zone No. 1 shall not qualify for any of the incentives provided for in this statement. In addition, any business which is determined by the Texas Department of Commerce to be ineligible for participation in a reinvestment zone shall not qualify for these incentives outlined in this statement. Any determination as to qualification of a business for such incentives shall be submitted to the administrative authority responsible for the administration of the Reinvestment Zone for determination as to its qualification.
- C. Relocation of Existing Business. Any business existing in Titus County, Texas which relocates from an existing location outside the boundaries of the Reinvestment Zone to a location within the

Reinvestment Zone shall be eligible for those incentives provided in this statement.

III. REAL PROPERTY TAX ABATEMENT INCENTIVES

The County of Titus, City of Mount Pleasant, Texas, and the other taxing units overlapping the territory inside the Reinvestment Zone shall abate taxes on any increase in value of those real property improvements for those Qualifying Businesses which locate within the boundaries of the Reinvestment Zone. The improvements for which tax abatements shall qualify shall be measured from the greater of the appraised values as shown on the records of the appropriate taxing authorities or the purchase price of the real property as provided by the purchaser of the property. Such taxes shall be abated for a period of seven (7) years from the time such improvements are added to the tax rolls of the various entities as set forth in the Guidelines and Criteria of the Zone.

IV. LOCAL SALES TAX ABATEMENT AND REBATE OF TAXES INCURRED BY A QUALIFYING BUSINESS

The County of Titus shall rebate its one-half (1/2) cent local sales tax on machinery and equipment purchased by Qualifying Businesses, and used for its operations within the Reinvestment Zone. The City of Mount Pleasant, Texas shall also rebate its one (1) cent local sales tax on machinery and equipment purchased by Qualifying Businesses and used for its operations within the Reinvestment Zone. Both entities shall refund to a Qualifying Business those taxes paid under the Municipal Sales and Use Tax Act by the Qualifying Business, and remitted to the Comptroller of Public Accounts for a period of seven (7) years from the date such Qualifying Business incurs such taxes and such zone is qualified as a Reinvestment Zone by the Texas Department of Commerce. Such personal property qualifying for tax abatement shall not include inventory of the business or rolling stock.

Any Qualifying Business which qualifies for such rebate, shall receive the rebate at the end of each calendar quarter upon presentation of any required documentation to the administrative body for administering the Reinvestment Zone.

**Titus County Commissioners' Court**

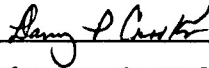
Mt. Pleasant, Texas

**PROCLAMATION OF
APRIL AS FAIR HOUSING MONTH**

- WHEREAS** Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and
- WHEREAS** The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and
- WHEREAS** The twenty-seventh anniversary of this National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.


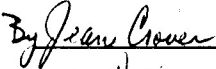
NOW, THEREFORE, WE, the Commissioners Court of Titus County do proclaim April as Fair Housing Month in the County of Titus and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

In witness whereof we have affixed our signatures and seal on this the 27th day of March, 1995.



Title: County Judge

Witness:

Title: Deputy County Clerk

ATTACHMENT "C"

1 LEGAL NOTICE

Published Daily Tribune,
March 14, 1995, 1t.

PUBLIC HEARING

THE TITUS COUNTY
COMMISSIONER'S
COURT WILL CON-
SIDER MAKING A
\$450,000 LOAN TO
METAL INDUSTRIES,
INC. USING TEXAS
CAPITAL FUNDS OB-
TAINED FROM THE
TEXAS DEPARTMENT
OF HOUSING AND
COMMUNITY AFFAIRS.

THE HEARING WILL
BE HELD IN
COMMISSIONER'S
COURTROOM ON MON-
DAY, MARCH 27, 1995
BEGINNING AT 9:00
A.M. COMMENTS FROM
THE PUBLIC ARE WEL-
COME.



ATTACHMENT "D"
Titus County Commissioners' Court
Mt. Pleasant, Texas

APPLICATION FOR PAYMENT OF PAUPER'S FUNERAL

DATE March 16, 1995

I, the undersigned, hereby state that I was related to the deceased
Jerry W. Parks as Sister
(Name of Deceased) (Relationship)

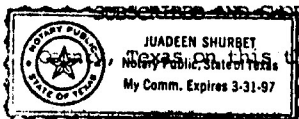
I further state that neither the deceased nor any person responsible for the deceased had any assets such as money, bank accounts, investments, insurance, property or any such assets other than those listed below which are applied to cost of the pauper's funeral.

List of assets owned by deceased or person responsible for deceased:

MONEY	\$ <u>00</u>
PROPERTY	\$ <u>00</u>
INSURANCE	\$ <u>00</u>
OTHER ASSETS	\$ <u>00</u>
TOTAL ASSETS	\$ <u>00</u>

I hereby make application to the Commissioners' Court of Titus County that payment be made for the funeral, less any assets as listed above.

X JuaDeen Shurrett



SUBSCRIBED AND SWORN TO BEFORE ME a Notary Public in and for Titus

JuaDeen Shurrett, Notary Public, State of Texas, the 16 day of March, 1995
My Comm. Expires 3-31-97

3/27/95

Bates-Cooper-Weems-Robison FUNERAL HOME LLP**Bates-Cooper-Weems INSURANCE COMPANY**

P.O. Box 1123
 1123 North Jefferson
 Mt. Pleasant, Texas 75456-1123
 (903) 572-3621

Titus County Commissioners

ID#: PAR1

Mount Pleasant, TX 75455

For The Funeral Service of:
 Jerry W. Parks

INTEREST OF % ANNUAL PERCENTAGE RATE CHARGE ON BALANCE AFTER 30 DAYS

DATE	DESCRIPTION	CHARGES	PAYMENTS	TOTALS
3/16/95	Professional Services	345.00		
	Automotive Equipment	90.00		
	Casket	320.00		
	TOTAL SERVICES AND MERCHANDISE			755.00
	CASH ADVANCES			
	Open & Close Grave	195.00		
	TOTAL AMOUNT DUE			950.00
3/16/95	General Sales Contract	950.00		950.00
	BALANCE DUE		\$	950.00

OK
 3/27/95



Titus County Commissioners' Court
Mt. Pleasant, Texas

DENIED
03/27/95
Long Creek
OWN PROPERTY
30 ACRES OF 50 ACRE
TRACT

APPLICATION FOR PAYMENT OF PAUPER'S FUNERAL

DATE 3-21-1995

I, the undersigned, hereby state that I was related to the deceased

Dollie K. Tompkins as daughter
(Name of Deceased) (Relationship)

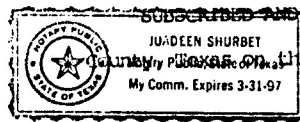
I further state that neither the deceased nor any person responsible for the deceased had any assets such as money, bank accounts, investments, insurance, property or any such assets other than those listed below which are applied to cost of the pauper's funeral.

List of assets owned by deceased or person responsible for
deceased:

MONEY	\$	<u>-0-</u>
PROPERTY	\$	<u>-0-</u>
INSURANCE	\$	<u>-0-</u>
OTHER ASSETS	\$	<u>-0-</u>
TOTAL ASSETS	\$	<u>-0-</u>

I hereby make application to the Commissioners' Court of Titus County
that payment be made for the funeral, less any assets as listed above.

Bill Wells



SUBSCRIBED AND SWORN TO BEFORE ME a Notary Public in and for Titus

County, Texas, on the 21 day of March, 1995.

~~Bates-Cooper-Weems~~ INSURANCE COMPANY

P.O. Box 1123
 1123 North Jefferson
 Mt. Pleasant, Texas 75456-1123
 (903) 572-3621

Titus County Commissioner Court ID#: TOM
 Mount Pleasant, TX 75455
 For The Funeral Service of:
 Dollie K. Tompkins

INTEREST OF % ANNUAL PERCENTAGE RATE CHARGE ON BALANCE AFTER 30 DAYS

DATE	DESCRIPTION	CHARGES	PAYMENTS	TOTALS
3/21/95	Professional Services	345.00		
	Automotive Equipment	90.00		
	Casket	320.00		
	TOTAL SERVICES AND MERCHANDISE			755.00
	CASH ADVANCES			
	Open & Close Grave	195.00		
				195.00
	TOTAL AMOUNT DUE			950.00
3/21/95	General Sales Contract	950.00		950.00
	BALANCE DUE		\$	950.00

No tax return filed the last four years