

**COMMISSIONERS' COURT
REGULAR MEETING
APRIL 13, 1998**

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in *Regular Session* on Monday, April 13, 1998, 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
BILLY J. THOMPSON.....COMMISSIONER PRECINCT 3
THOMAS E. HOCKADAY.....COMMISSIONER PRECINCT 4
JEAN CROVER.....DEPUTY CLERK

ABSENT: NONE

PUBLIC AND COUNTY OFFICIALS ATTENDING MEETING"

CARL JOHNSON, COUNTY AUDITOR
JUNE ROACH, TAX-ASSESSOR COLLECTOR
SHERRY MARS, COUNTY CLERK
RICKY POOLE, SHERIFF
KEN SCHIENDLEY, CHIEF DEPUTY SHERIFF

LARRY McRAE
JONE CLEMMONS
K. M. SLOAN
ROBERT R. HADLIN
BRETT THOMAS
ANN RUNDLE
MIKE HALL
NIP CALDWELL

RICK CHAFFIN
LANNY WALKER
JON D. KINGSLEY
JOHN BOLN
ELMER PATTON
DAN HAMPTON
MIKE BERRY
GENE LECHICKY

Invocation was given by Reverend Dalton Graves.

**IN THE MATTER OF
CONSIDERING PURCHASE OF
PUMPER UNIT FOR TALCO FIRE DEPARTMENT
NEW FIRE TRUCK FOR TALCO FIRE DEPARTMENT
MOTOR GRADER FOR PRECINCT 2**

PUMPER UNIT FOR TALCO FIRE DEPARMENT

Motion was made by Commissioner Billy J. Thompson to approve the purchase of a pumper unit for Talco City Fire Department.

Judge Crooks asked, "Do I have a second?" He repeated his question several more times.

Judge Crooks said, "The motion dies for lack of a second."

NEW FIRE TRUCK FOR TALCO FIRE DEPARTMENT

The Court asked the Talco Fire Department if they would like to receive a 1 ton fire truck for their department.

Talco City Manager Jone Clemmons said, "The City of Talco would like to request the Court set aside the funds for the 1 ton truck toward the purchase of a pumper unit at budget time for this coming year."

No action was taken on this matter due to a lack of a motion.

MOTOR GRADER FOR PRECINCT 2

Three bids were received from Waukesha-Pearce Industries, Inc., Darr Equipment Company and Roadrunner Equipment Company.

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas E. Hockaday to approve the purchase of one Motor Grader from Waukesha-Pearce Industries, Inc. for the sum of \$99,099.00 for Precinct 2. Motion carried unanimously. *SEE ATTACHMENT "J"*

IN THE MATTER OF
CONSIDERING THE SALE OF A MOTOR GRADER
FROM PRECINCT 2

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas E. Hockaday to reject all bids for the sale of the Motor Grader from Precinct 2. Motion carried unanimously.

IN THE MATTER OF
CONSIDER PURCHASE OF SERVICE CONTRACT FOR
PAGERS FOR THE SHERIFF'S DEPARTMENT

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas E. Hockaday to approve the service contract with Arch Communications for the Sheriff's Department pagers. Motion carried unanimously. *SEE ATTACHMENT "A"*

IN THE MATTER OF
APPROVING OUTSIDE AUDIT

Motion was made by Commissioner Mike Fields and seconded by Commissioner Mike Price to approve Arnold, Walker, Arnold and Company outside audit. Motion carried unanimously.

IN THE MATTER OF
APPROVING 1998 TAX YEAR RESOLUTION

Motion was made by Commissioner Mike Fields and seconded by Commissioner Mike Price to approve the 1998 Tax Year Resolution. Motion carried unanimously. *SEE ATTACHMENT "B"*

IN THE MATTER OF
CONSIDERING APPROVAL OF PLAT OF GRAND BANKS
PHASE 1 IN PRECINCT 2

Motion was made by Commissioner Mike Fields and seconded by Commissioner Mike Price to approve the plat of Grand Banks Phase 1 in Precinct 2. Motion carried unanimously.

IN THE MATTER OF
CONSIDERING GTE COMPANY BURYING CABLE ALONG
AND UNDER NW-3 IN PRECINCT 2

Motion was made by Commissioner Mike Fields and seconded by Commissioner Mike Price to approve GTE Company burying cable along and under NW-3 in Precinct 2. Motion carried unanimously. *SEE ATTACHMENT "C"*

IN THE MATTER OF
APPROVING DEPUTATION OF MILDRED JONES
AND SANDRA BILLUPS AS PART TIME DEPUTY DISTRICT CLERKS

Motion was made by Commissioner Billy J. Thompson and seconded by Commissioner Thomas E. Hockaday to approve Mildred Jones and Sandra Billups as part time deputies for the District Clerk's Office. Motion carried unanimously.

IN THE MATTER OF
APPROVING MINUTES FOR MARCH 1998

Motion was made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday to approve Commissioners' Court minutes for March 1998. Motion carried unanimously.

IN THE MATTER OF
APPROVING BUDGET AMENDMENTS

None were submitted. No action was taken.

IN THE MATTER OF
APPROVING COUNTY OFFICIAL REPORTS

Motion was made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday to approve reports from County Auditor, County Treasurer, County Tax Assessor-Collector, Justice of the Peace Precinct 1, Justice of the Peace Precinct 2, Cookville Volunteer Fire Department, Five Star Volunteer Fire Department, Nortex Volunteer Fire

Department, and City of Talco Fire Department. Motion carried unanimously.

IN THE MATTER OF
SIGNING PAY ORDERS AND PAYING BILLS

Motion was made by Commissioner Mike Price and seconded by Commissioner Mike Fields to approve signing pay orders and paying bills. Motion carried unanimously.

IN THE MATTER OF
CONSIDERING NON SMOKING RESOLUTION
FOR TITUS COUNTY COURTHOUSE, ANNEX,
AND EXTENSION BUILDING

Motion was made by Commissioner Billy J. Thompson and seconded by Commissioner Mike Fields to make the Titus County Courthouse, Annex and Extension Building a smoke free environment.

VOTING YES
COMMISSIONER PRECINCT 2, MIKE FIELDS
COMMISSIONER PRECINCT 3, BILLY J. THOMPSON
COUNTY JUDGE, DANNY P. CROOKS

VOTING NO
COMMISSIONER PRECINCT 1, MIKE PRICE
COMMISSIONER PRECINCT 4, THOMAS E. HOCKADAY

Motion carried. *SEE ATTACHMENT "D"*

IN THE MATTER OF
CONSIDERING SOUTHWESTERN BELL TELEPHONE COMPANY
BURYING CABLE ALONG AND UNDER SE-28 IN PRECINCT 2
AND NE-2 IN PRECINCT 4

Motion was made by Commissioner Mike Fields and seconded by Commissioner Billy J. Thompson to approve Southwestern Bell Telephone Company burying cable along SE-28 in Precinct 2. Motion carried unanimously. *SEE ATTACHMENT "E"*

Motion was made by Commissioner Billy J. Thompson and seconded by Commissioner Mike Price to approve Southwestern Bell Telephone Company burying cable along and under NE-2 in Precinct 3. Motion carried unanimously. *SEE ATTACHMENT "F"*

IN THE MATTER OF
CONSIDERING LICENSE AGREEMENT WITH
TEXAS UTILITIES MINING COMPANY AND PRECINCT 2

Commissioner Mike Fields stated, "This is a lease agreement between Texas Utilities Mining Company and Precinct 2 for a mining field."

Motion was made by Commissioner Mike Fields and seconded by Commissioner Mike Price to approve the License Agreement with Texas Utilities Mining Company and Precinct 2. Motion carried unanimously. *SEE ATTACHMENT "G"*

IN THE MATTER OF
DISCUSSING LONG-TERM FIRE CONTRACT WITH
THE CITY OF MT. PLEASANT

Motion was made by Commissioner Mike Fields and seconded by Commissioner Billy J. Thompson to table this matter. Motion carried unanimously.

IN THE MATTER OF
DISCUSSING AND CONSIDERING LOWERING THE SPEED
LIMIT ON ALL COUNTY MAINTAINED ROADS

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to set the speed limit on all county maintained roads at 40 miles per hour. Motion carried unanimously.

IN THE MATTER OF
OPENING AND CONSIDERING BIDS FOR
LEASE PURCHASE OF 2 NEW MOTOR GRADERS FOR
PRECINCT 4

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to table this matter. Motion carried unanimously.

IN THE MATTER OF
OPENING AND CONSIDERING BIDS FOR SALE OF
2 USED MOTOR GRADERS FROM PRECINCT 4

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to not sell 140 G Caterpillar and to sell the 12G Caterpillar to Hoss Equipment Company with their bid being \$55,000.00. Motion carried unanimously.

IN THE MATTER OF
OPENING AND CONSIDERING BIDS FOR PURCHASE OF
1-1999 3/4 TON 4 WHEEL DRIVE, EXTENDED CAB PICKUP
1-1999 4 WHEEL DRIVE SPORTS UTILITY VEHICLE
TWO PATROL CARS FOR THE SHERIFF'S DEPARTMENT

Motion was made by Commissioner Mike Fields and seconded by Commissioner Mike Price to purchase two 1998 Ford Crown Victoria Police Interceptor cars from Cypress Ford for \$20,940.20 each; one 1998 Dodge Ram 2500 Quad Cab 4x4 from Elliot Motors, Inc. for \$26,678.00 and one 1998 Dodge Durango 4x4 SLT to remove the front grill guard with wench for \$25,751.00 from Elliott Motors, Inc. Motion carried unanimously. *SEE ATTACHMENT "H"*

The purchase order has been reduced by \$500.00 per James Milam at Cypress Ford. The original quote was for \$20,940.20, and was to be shipped from Kansas. James has since found another car with anti-lock brakes, a spotlight and possibly some small added options at this reduced selling price. This second car has been found in Texas. Purchasing Agent William White

checked with Sheriff Ricky Poole and the Commissioners and was advised that the second car meets all specs and to go ahead with this purchase.

IN THE MATTER OF
ADJOURNMENT

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

County Auditor Carl Johnson said, "Excuse me, I have just discovered another bid that I failed to give the Court on the Motor Graders for Precinct 4. Since it was timely received I believe we will have to open it and reconsider those bids."

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to remove the adjournment motion made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday. Motion carried unanimously.

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to remove the already approved motion for the sale of the 12 G Caterpillar Motor Grader from Precinct 4 to Hoss Equipment. The highest bid was Romco Trax Equipment LTD Company for \$59,825.00. Therefore the bid should go to Romco Trax Equipment LTD Company. Motion carried unanimously. *SEE ATTACHMENT "I"*

IN THE MATTER OF
ADJOURNMENT

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

**The above and foregoing minutes for the month of
MARCH, 1998 were read and approved this 13th day
of APRIL, 1998.**

Danny P. Crooks
DANNY P. CROOKS, COUNTY JUDGE

Mike Price
MIKE PRICE, COMMISSIONER PRECINCT # 1

Mike Fields
MIKE FIELDS, COMMISSIONER PRECINCT # 2

Billy J. Thompson
BILLY J. THOMPSON, COMMISSIONER PRECINCT # 3

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

Sherry Mars
SHERRY MARS, COUNTY CLERK

**COMMISSIONERS' COURT MINUTES FOR MARCH, 1998 A.D.
RECORDED ON THE 14TH DAY OF APRIL, 1998, A.D.**

**SHERRY MARS, COUNTY CLERK,
TITUS COUNTY, TEXAS**

By Jean Crowe **DEPUTY COUNTY CLERK**



ARCH

SERVICE ORDER FORM

| | | | | | |
|--|-----|--|-------|--|--------------------|
| ACCOUNT INFORMATION Acct #: 120 451 Date: 4/3/98 Page: 222 Time: | | ACCOUNT TYPE <input checked="" type="checkbox"/> New <input type="checkbox"/> Add <input type="checkbox"/> COAM SWAP UP <input type="checkbox"/> Change Request | | REPLACEMENT <input type="checkbox"/> Exchange <input type="checkbox"/> 30 Day Exchange - No Charge <input type="checkbox"/> Product Type Change <input type="checkbox"/> System Change <input type="checkbox"/> PPP - Charge Deductible <input type="checkbox"/> Replace Lease - Full Value <input type="checkbox"/> Purchase COAM - Sale Price <input type="checkbox"/> Send Trade-in MP | |
| NAME Name: Titus County Sheriff Dept Address: City, St: | | SALE <input type="checkbox"/> SAME <input type="checkbox"/> Physical <input type="checkbox"/> Billing <input type="checkbox"/> Below | | SHIP TO: (Use P.O. Box) | |
| ADDRESS Address: City, St: | | CO or Airt: Address: City, St: | | ZIP Zip: | |
| PHONE Phone: City, St: | | CONTACT Contact: Ricky Role | | SPECIAL Special: | |
| OTHER INFORMATION | | | | | |
| CONTRACT INFORMATION Contract Length: 1 Month 1 Yr 2 Yr 3 Yr Billing Free: 1 Month 1 Yr 2 Yr 3 Yr Acct. Balance: | | | | | |
| PAYMENT INFORMATION Est. Charges: 52.95 Amount to Collect: | | | | | |
| GOODS | | | | | |
| ITEMS | | | | | |
| ITEM | QTY | PRICE | TOTAL | DATE | REMARKS |
| 1170 Base | 1 | 5.00 | 5.00 | | Alpha mate 250 |
| Alpha mate | 250 | | | | Mr. Plessow's 6.95 |
| REMARKS 9 additional cards + 1 Alpha mate the activation unlimited pages | | | | | |

Approved By: _____ Date: _____ Returned to Rep Time: _____ Final Time: _____



Titus County Commissioners' Court
Mt. Pleasant, Texas

RESOLUTION

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in Regular Session April 13, 1998 and approved Resolutions for the 1998 tax year.

RESOLVED to allow a discount to the property owners of Titus County for the early payment of property taxes for the 1998 tax year in accordance with Section 31.05 of the Property Tax Code. The rate of discount is 3% if paid in the month of October, 1998; 2% if paid in November, 1998; 1% if paid in December, 1998.

RESOLVED to allow a 20% exemption on the value of homesteads in Titus County for purposes of county property tax for the tax year 1998, in accordance with Section 11.13 but not less than \$5000.00.

RESOLVED that the County Tax Assessor Collector permits an exemption of an additional amount on all homesteads in Titus County owned by persons 65 year of age or older in determining the amount of property tax due for the 1998 tax year, in accordance with Section 11.13. This amount has been \$15,000.00.

RESOLVED that persons under age 65 who are 100% disabled according to Social Security records are hereby granted an additional exemption of \$10,000. on their homestead for the tax year 1998, in accordance with 11.13 D.

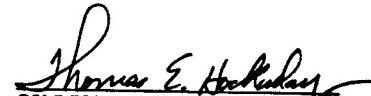
APPROVED by the COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS on the 13th day of April, 1998.


TITUS COUNTY JUDGE


COMMISSIONER, PRECINCT 1


COMMISSIONER, PRECINCT 3


COMMISSIONER, PRECINCT 2


COMMISSIONER, PRECINCT 4



RECEIVED

MAR 25 1998

TITUS COUNTY JUDGE

GTE Southwest Incorporated
1121 Shannon Road
P. O. Box 498
Sulphur Springs, Texas 75482

The Honorable Commissioners Court

County of TITUSMT. PLEASANT, Texas

ROW 2 - _____ County - _____, Texas -

_____ NO - BM:sm

Formal notice is hereby given that GTE Southwest Incorporated proposes to place a buried telephone cable along the right-of-way of a TITUS County Road.

Attached are two copies of Form ED-135, "Notice of Proposed Installation Buried Cable", with sketches showing in detail a more exact location of this proposed construction. The new cable to be placed within 5 feet of the right-of-way at all locations possible, and at a minimum depth of 30 inches.

GTE Southwest agrees to assume liability for any damage to the roadway and/or right-of-way which may be caused from this construction.

In the event subsequent construction in connection with the repair, widening or improvement of the present roadway may require the lowering, revamping or relocation of the cable, GTE Southwest will bear all the expense of such lowering, revamping or relocating of the facilities.

If additional information is required, please notify:

GTE Southwest Incorporated
1121 Shannon Road P. O. Box 498
Sulphur Springs, Texas 75483
Telephone No. 214-685-1745

(☒) APPROVED () DENIED

Danny Smith
TITUS COUNTY JUDGE

Engineer
DANNY SMITH

W.O. # 3PC01AS

WINFIELD

DATE _____

NOTICE OF COMMUNICATION LINE INSTALLATIONDATE 3-23-98
TO THE COMMISSIONER'S COURT OF TITUS COUNTY

ATTENTION COUNTY JUDGE:

Formal notice is hereby given that GTE SOUTHWEST INCORPORATED will construct a communication line within the right-of-way of a County Road in TITUS County, TEXAS as follows:

THIS JOB WILL RELOCATE AN EXISTING TELEPHONE CABLE FROM AERIAL TO BURIED ENCASED FOR THE BRIDGE WIDENING ON NW 3 ROAD AT RIPLEY BRANCH.

The location and description of this line and associated appurtenances is more fully shown by THREE copies of drawings attached to this notice. The line will be constructed and maintained on the County Road right-of-way in accordance with governing laws.

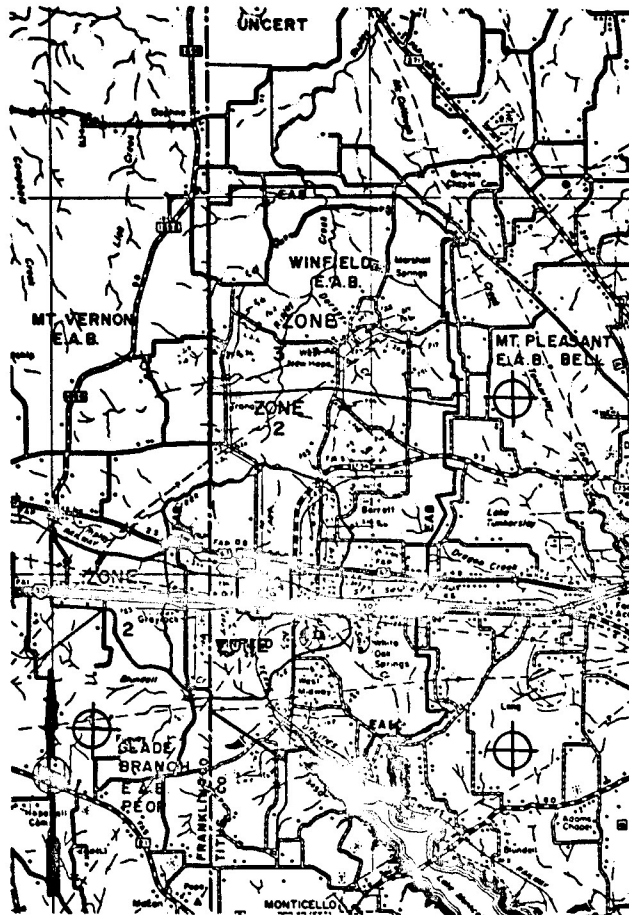
Notwithstanding any other provision contained herein, it is expressly understood that tender of this notice by GTE Southwest Incorporated does not constitute a waiver, surrender, abandonment or impairment of any property rights, franchise, easement, license, authority, permission, privilege or right now granted by law or may be granted in the future and any provision or provisions so construed shall be null and void.

Construction of this line will begin on or after APRIL 8TH 19 98.

GTE Southwest Incorporated

BY Danny Smith by MLW
MNGR. ACCESS DESIGNADDRESS P.O. BOX 498Sulphur Springs, Tx. 75482

| | | |
|--|---|--|
| ISSUED 11-21-77 EFFECTIVE 10-4-76 DOCKET 10 | GTE GENERAL TELEPHONE COMPANY OF THE SOUTHWEST | TEXAS GENERAL EXCHANGE TARIFF MAP SUPPLEMENT SECTION 6 WINFIELD, TEXAS Exchange Area Boundary |
| SCALE 1 inch = 2 MI. | ALL BOUNDARIES ARE 600 FEET FROM ROADS UNLESS OTHERWISE NOTED | FIRST REVISED SHEET NO. 286A CANCELLING ORIGINAL SHEET NO. 286A R. REX BAILEY VICE PRESIDENT-REVENUE REQUIREMENTS |



**Titus County Commissioners' Court****Mt. Pleasant, Texas**

TO: ELECTED OFFICIALS
EMPLOYEES

FROM: COMMISSIONERS' COURT

DATE: APRIL 16, 1998

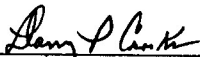
SUBJECT: TITUS COUNTY NON-SMOKING FACILITIES:
COURTHOUSE - ANNEX - EXTENSION BUILDING
EFFECTIVE DATE: APRIL 13, 1998

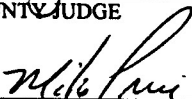
The Titus County Commissioners' Court met in Regular Session Monday, April 13, 1998, and approved adoption of a Non-Smoking Resolution for the above mentioned Titus County Buildings.

This Resolution was approved in consideration of the comfort and health of every citizen of Titus County who must enter the buildings for business purposes, and for personnel working there eight hours each day. Medical science has made us aware that the use of tobacco is detrimental to the health of the "smoker" and to the "non-smoker" as well. We feel that approving this Resolution is in the best interest of everyone. Our citizens deserve the right to enter smoke-free buildings, and the right to breathe smoke-free air.

We have placed "No-Smoking" signs in every building. The rule applies to everyone. There are no exceptions! Smoking will not be permitted by anyone, at any time.

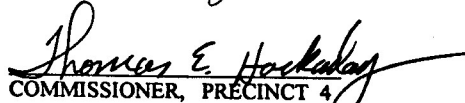
Your cooperation is appreciated!


COUNTY JUDGE


COMMISSIONER, PRECINCT 1


COMMISSIONER, PRECINCT 2


COMMISSIONER, PRECINCT 3


COMMISSIONER, PRECINCT 4



Titus County Commissioners' Court

Mt. Pleasant, Texas

RESOLUTION

BE IT RESOLVED, the Titus County Courthouse, located at 100 West First Street, the Titus County Courthouse Annex, located at 105 West First Street, and the Titus County Extension Office, located at 1708 Industrial Road, all located in Mt. Pleasant, Texas, are henceforth to be smoke free environments and are hereby designated as such, and smoking in said facilities is prohibited.

ADOPTED the 13th day of April, 1998.

Danny P. Clark

TITUS COUNTY JUDGE

Mike Pini

COMMISSIONER, PRECINCT 1

Billy D. Thompson

COMMISSIONER, PRECINCT 3

Mike Fields

COMMISSIONER, PRECINCT 2

Thomas E. Harkaday

COMMISSIONER, PRECINCT 4

4541584

APPLICATION FOR PERMIT

TO: COMMISSIONERS COURT
MT. PLEASANT, TEXAS 75455

Application is hereby made by SOUTHWESTERN BELL TELEPHONE COMPANY
for permission to lay buried line along/under
that certain segment of the county road in Precinct # 3
at the following location(s):

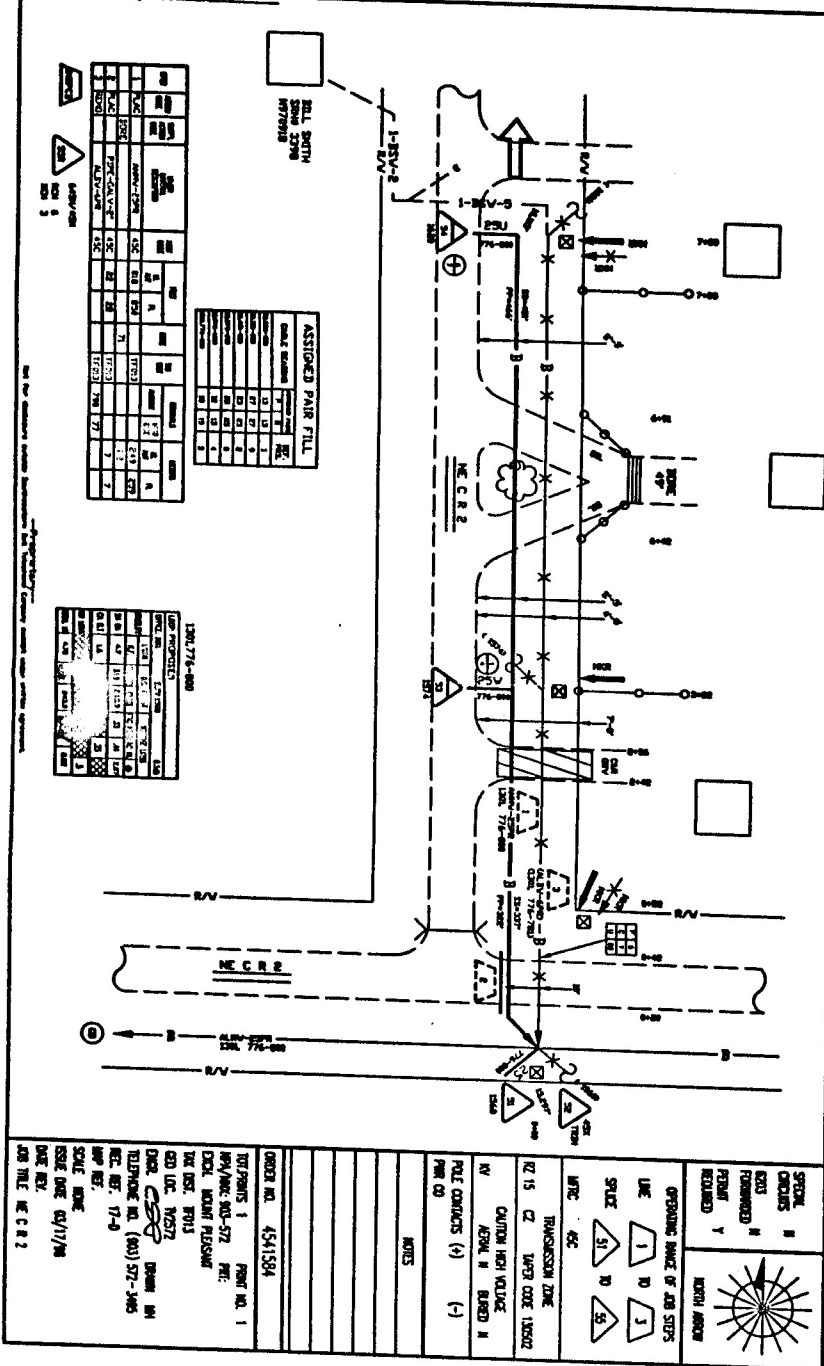
*Place buried cable across and
along ME C.R. 2 as shown on
attached drawing.*

Respectfully submitted,

C. D. Prince 3-19-98
Manager-Engineering Design
611 W. Elm 307 N. Van Buren
Tyler, Texas 75702 Mt. Pleasant, TX 75455

APPROVED - DENIED

Dan Plisk
COUNTY JUDGE



APPLICATION FOR PERMIT

TO: COMMISSIONERS COURT
MT. PLEASANT, TEXAS 75455

Application is hereby made by SOUTHWESTERN BELL TELEPHONE COMPANY
for permission to lay buried line along/under
that certain segment of the county road in Precinct # 2
at the following location(s):

*Place buried cable along
SE CR 28 as shown on
attached drawing*

Respectfully submitted,

C. D. Prince 3-19-98
Manager-Engineering Design
611 W. Elm
Tyler, Texas 75702
*307 N Van Buren
Mt. Pleasant, TX
75455*

APPROVED - DENIED

Doug Clark
COUNTY JUDGE

APPLICATION FOR PERMIT

TO: COMMISSIONERS COURT
MT. PLEASANT, TEXAS 75455

Application is hereby made by SOUTHWESTERN BELL TELEPHONE COMPANY
for permission to lay buried line along/under
that certain segment of the county road in Precinct # 2
at the following location(s):

*Place buried cable along
SE CR 28 as shown on
attached drawing*

Respectfully submitted,

C.D. Prince 3-19-98

Manager-Engineering Design

611 W. Elm

Tyler, Texas 75702

*307 N Van Buren
Mt. Pleasant, TX
75455*

APPROVED - DENIED

Dan Clark
COUNTY JUDGE

ATTACHMENT "C"

VOL 24 PAGE 276

Area 421 South
Tract Part 502
Acreage East part of
129.960

LICENSE AGREEMENT

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

THE COUNTY OF TITUS §

This agreement of license is made this 1st day of April 1998, by and between **Texas Utilities Mining Company**, a Texas Corporation, hereinafter called Licensor and **Titus County, Texas**, hereinafter called Licensee.

1. **LICENSE PREMISES:** Licensor hereby leases to Licensee, and Licensee hereby leases from Licensor, real property (hereinafter called "licensed premises"), situated in Titus County, fully described on EXHIBIT "A" attached hereto and made a part hereof for all purposes.
2. **PURPOSE OF LICENSE:** This license is given for Licensee's use of dirt on the premises for the purpose of mixing road oil, asphalt, or other substances necessary to produce road paving materials.
3. **RENT:** Licensee agrees to pay Licensor, as rent for the licensed premises, the sum of One & No/100 Dollars (\$1.00), payable to Texas Utilities Mining Company, at P. O. Box 1255, Mt. Pleasant, Texas 75456-1255.
4. **TERM:** The initial term of this license shall be for a period of one (1) year, beginning on April 1st, 1998 and ending on April 1st, 1999. Licensee shall have an option to renew this license for an additional one year term by giving written notice to Licensor at least thirty (30) days prior to the expiration of the initial term of his intent to renew the license.
5. **REPAIRS AND MAINTENANCE:** Licensee shall maintain the licensed premises in condition fit for their intended use, and it is specifically agreed between the parties that Licensee will maintain the premises in accordance with all applicable regulations of the Environmental Protection Agency, the Texas Water Commission, the Texas Railroad Commission and any other federal, state or local agency which may issue regulations concerning this type of activity.

It is also agreed between the parties that Licensee will, upon termination of this license, clean up the premises and remove any dirt, chemicals, or any other substance which may be required by the regulations of the Environmental Protection Agency, the Texas Water Commission, the Texas Railroad Commission, or any other federal state or local agency. Any removal of such substances shall be removed at the expense of Licensee. Licensee will hold Licensor harmless from any claims or actions which may arise by virtue of its activities on this property, which may later be found to be in violation of any regulations issued by the above named authorities.

6. DEFAULTS:

A. Default by Licensee. If Licensee shall allow the rent to be in arrears more than ten (10) days after written notice of such delinquency, or shall remain in default under any other condition of this lease for a period of ten (10) days after written notice from Licensor, or should any other person than Licensee secure possession of the premises or any part thereof, by reason of any operation of law, in any manner whatsoever, Licensor may, at his option, without notice to Licensee, terminate this lease, or in the alternative, Licensor may re-enter and take possession of the premises and remove all persons and property therefrom, without being deemed guilty of any manner of trespass. In addition, Licensee shall be in default if it does not maintain the premises in accordance with the regulation of those agencies listed in Section 5 of this agreement.

B. Default by Licensor. If Licensor defaults in the performance of any term, covenant, or condition required to be performed by him under this agreement, then Licensee may elect either one of the following:

(1) After not less than ten (10) days notice to Licensor, Licensee may remedy such default by any necessary action, and in connection with such remedy, may pay expenses and employ counsel; all sums expended or obligations incurred by licensee in connection therewith, shall be paid by Licensor to Licensee on demand, and on failure of such reimbursement, Licensee may, in addition to any other right or remedy that Licensee may have, deduct the costs and expenses thereof from rent subsequently becoming due hereunder; or,

(2) Elect to terminate this agreement on giving at least ten (10) days notice to Licensor of such intention, thereby terminating this agreement on the date designated in such notice, unless Licensor shall have cured such default prior to the expiration of the ten (10) day period.

7. ASSIGNMENT AND SUBLEASE: Licensee shall not assign this license, nor sublet all or any portion of the licensed premises without the prior written consent of the Licensor.

8. MISCELLANEOUS:

A. Notices and Addresses. All notices to be given hereunder shall be given by certified or registered mail, addresses to the proper party at the addresses shown with the signatures hereto.

B. Parties Bound. This agreement shall be binding upon and inure to the benefit of the parties hereof and their respective heirs, executors, administrators, legal representatives, successors and assigns, where permitted by this agreement.

C. Texas Law to Apply. This agreement shall be construed under and in accordance with the laws of the State of Texas, and shall be performable in the County where the property is located.

D. Prior Agreements Superseded. This agreement constitutes the sole and only agreement of the parties hereto and supercedes any prior understanding, or written or oral agreements between the parties respecting the within subject matter.

E. Attorney's Fees. In the event Licensor or Licensee breaches any of the terms of this agreement, whereby the party not in default employs attorneys to protect or enforce its rights hereunder and prevails, then the defaulting party agrees to pay reasonable attorneys fees incurred by the prevailing party.

EXECUTED in duplicate as of the 1st day of April, 19 98.

LICENSOR:

TEXAS UTILITIES MINING COMPANY

BY: [Signature]
Kevin Kent
Monticello SES Land & Minerals Manager

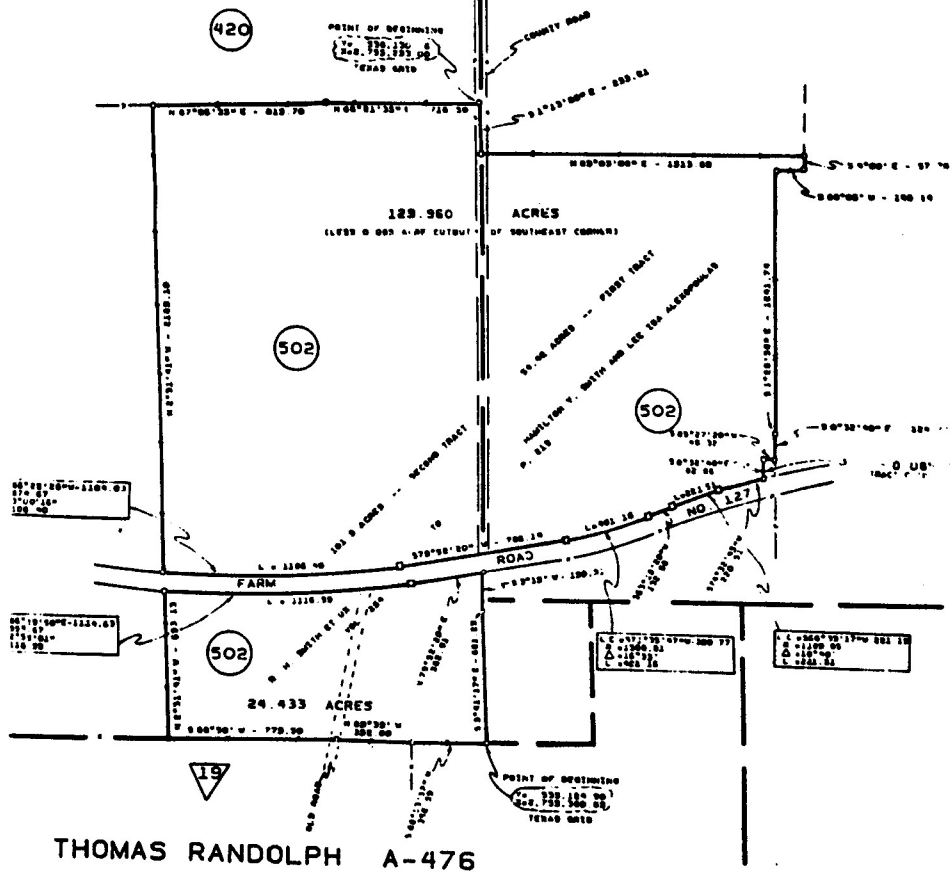
LICENSEE:

TITUS COUNTY

By: [Signature]
Mike Fields
Titus County Commissioner, Precinct #2
Rt. 3, Box 9380
Mt. Pleasant, TX 75455
(903) 572-7172

JOHN H. KEITH A-321

GEORGE A. DAVIS A-18



THOMAS RANDOLPH A-476

I, DAN HAMPTON, REGISTERED PUBLIC SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAN, SPECIALLY AND CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY ORDER AND SEAL THIS 22ND DAY OF SEPTEMBER, 1908.

| | |
|---|--|
| SHEET | |
| SHOWING A PART OF JOHN H. KEITH, GEORGE A. DAVIS, AND THOMAS RANDOLPH | |
| SCALE | |
| HAMPTON & ASSOCIATES REGISTERED SURVEYORS MOUNT PLEASANT | |



April 9, 1998

Police Pack

Titus County Commissioners Court

Ford ceased taking orders for 1998 Police Interceptor Crown Victorias on April 4. I have located a vehicle in stock with the following equipment.

Please consider our bid;

98 Ford Crown Victoria Police Interceptor
4.6L Engine V-8
Heavy Duty Radiator
Heavy Duty Alternator
Front and Rear Bumper Guards
Intermittent Wipers
AM / FM Radio
Air Conditioner
Power Steering
Power Brakes
2 Outside Mirrors (Right & Left)
Tinted Windshield
Clock
Seats Heavy Duty Cloth
Carpet Floor Mats
Door - Rear Handle Inoperative
Dual Exhaust
Cruise Control and Tilt Steering
Wired for Overhead Lights
Seats - Front Bucket Seats
Calibrated Speedometer
Rear Window Defroster
Spare Tire - Full Size
Electric Windows
Electric Door Locks
Limited Slip Differential
Driver Side Spot Lite
Speed Control
Noise Suppression Bond Straps
2yr STATE INSP
Plus any Taxes or Registration Fees Due

\$20,940.20 *AN*

James Milam
James Milam - Sales Manager

jm:js

203 W. FERGUSON - MT. PLEASANT, TEXAS 75455
PHONE: 903-572-3486 FAX: 903-572-8902



elliott

VOL 24 PAGE 28



BID SPECIFICATIONS

1998 DODGE RAM 2500 QUAD CAB 4X4

8800 GVWR

139 INCH WHEELBASE (141.8 NOT AVAILABLE)

8.6 INCHES AXLE CLEARANCE IN REAR 9.0 INCHES AXLE CLEARANCE IN FRONT

ENGINE - 8.0 L (488 CUBIC INCH) V-10 300 H.P./450 LBS TORQUE

SEQUENTIAL MULTI-POINT FUEL INJECTION (UNLEADED FUEL)

4 SPEED HEAVY DUTY AUTOMATIC TRANSMISSION W/ELECTRIC OVERDRIVE

FRONT SUSPENSION - SOLID AXLE WITH COIL SPRINGS (AXLE RATING AT GROUND 4850 LBS) (5200 LBS NOT AVAILABLE - LEAF SPRINGS NOT AVAILABLE)

REAR SUSPENSION-SOLID AXLE WITH LEAF SPRINGS AXLE RATING AT 6200 LBS AT GROUND (6830 LBS NOT AVAILABLE)

STEERING - POWER VARIABLE ASSIST.

→ BRAKES - 4 WHEEL ABS - FRONT AND REAR

WHEELS - STEEL 16 INCH RIM

FRONT GRILL GUARD - HEAVY DUTY WITH AREA FOR WINCH MOUNT

REAR HEAVY DUTY BUMPER WITH TOW HOOKS

REAR DROP HITCH

FIBERGLASS - BLACK, LOCKABLE-RED COVER W/HYDRAULIC SPRINGS

2,000 LB SINGLE LINE WINCH 5/16" CABLE - ELECTRIC

AIR CONDITIONING

BLACK EXTERIOR - AGATE INTERIOR, VINYL 40/20/40 SPLIT BENCH SEAT (TAN INTERIOR NOT AVAILABLE)

TOTAL SELLING PRICE \$26,678.00

Recon!



elliott

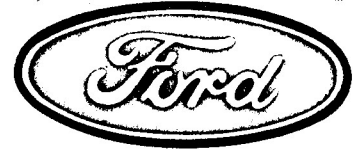


RED SPECIFICATIONS

1998 DODGE DURANGO 4X4 SLT
115.9 INCH WHEEL BASE
5.2 L V-6 - UNLEADED FUEL
25 GALLON FUEL TANK
4 SPEED AUTOMATIC TRANSMISSION
FLOOR MOUNTED MANUEL TRANSFER FOR PART TIME 4X4
HEAVY DUTY ALTERNATOR - 136 AMP
HEAVY DUTY BATTERY - 750 AMP
PROTECTIVE SKID PLATES FOR FUEL TANK, TRANSFER CASE, AND FRONT SUSPENSION.
INDEPENDENT SUSPENSION WITH FRONT AND REAR STABILIZER BARS
FRONT GRILL GUARD W/ AREA FOR WINCH
BLACK EXTERIOR
GRAY INTERIOR - CLOTH SEATS
8000 LB WINCH 5/16TH CABLE ELECTRIC
AIR CONDITIONING

TOTAL SELLING PRICE \$27,001.00
+ 25,751.00

 KE 25,751



April 9, 1998

Titus County Commissioners Court

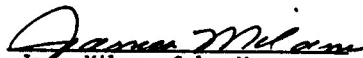
Please consider our bid;

1999 Ford F-250 Super Cab
4 Door
4 Wheel Drive
8000# GVWR
Air Conditioner
4 Wheel ABS
6.8L V-10 Engine EFI
Electric 4 Speed Auto Transmission
Heavy Duty Rear Bumper with Drop
Tow Hooks Front and Rear
2 Year State Inspection

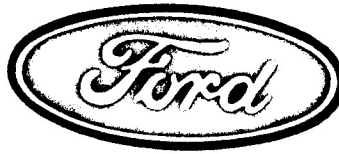
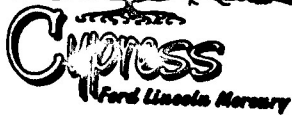
| | |
|---|-----------------|
| Plus any Taxes or Registration Fees Due | \$22,274.75 |
| Heavy Duty Front Bumper w/Grill Guard w/8000# Winch Installed | <u>1,420.00</u> |
| | \$23,694.75 |

| | |
|--------------------------------|-----------------|
| Optional | |
| Rear Bench Seat | \$395.00 |
| Fiberglass Bed Cover Per Specs | <u>\$687.50</u> |

25,02.


James Milam - Sales Manager

203 W. FERGUSON - MT. PLEASANT, TEXAS 75455
PHONE: 903-572-3486 FAX: 903-572-8902



PLAIN

April 9, 1998

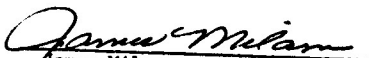
Titus County Commissioners Court

Please consider our bid;

1998 Ford Crown Victoria
4 Door
Air Conditioner
Power Windows and Locks
AM / FM Stereo
Speed Control with Tilt Wheel
Rear Window Defroster
4.6L V-8 Engine
Automatic with Overdrive
Cloth Split Bench Seat
4 Wheel Anti Lock Brakes
2 Year State Inspection

Plus any taxes or registration fees due

\$19,484.20


James Milam - Sales Manager

jm:js

203 W. FERGUSON - MT. PLEASANT, TEXAS 75455
PHONE: 903-572-3486 FAX: 903-572-8902



April 9, 1998

Titus County Commissioners Court

Please consider our bid;

1998 Ford Expedition
119" Wheel Base
5.4L V-8 Engine
Automatic Transmission with Overdrive
Heavy Duty Battery
Heavy Duty Alternator
Heavy Duty Radiator
P-255/70R-16 BSW Tires
2 Year State Expection
Air Conditioner
Skid Plate Package
4 Wheel Drive

Plus any Taxes or Registration Fees Due \$26,471.95

Front Grill GuardBumper Combo w/ 8000# Winch Installed ~~1,420.00~~
~~\$27,891.95~~


James Milam - Sales Manager

jm:js

203 W. FERGUSON - MT. PLEASANT, TEXAS 75455
PHONE: 903-572-3486 FAX: 903-572-8902



PLEASE REPLY TO: 1350 N.E. LOOP 820/FT. WORTH, TX 76106-1727/(817) 626-2288

April 8, 1998

Titus County Courthouse, Room 202
Auditor's Office
Mt. Pleasant Tx 75455

ROMCO/TRAX EQUIPMENT LTD CO., wishes to bid the following on the above mentioned units, based on delivery of 2 weeks from date of bid award:

Caterpillar Model 140G Motor Grader - S/N - 72V17618.....\$128,375.00

Caterpillar Model 12G Motor Grader - S/N - 08234288.....\$ 59,825.00

Regards,

A handwritten signature in cursive script, appearing to read "Bruce Monroe", is written above the typed name.

Bruce Monroe
Sales Coordinator

BM/dj

QUALITY USED EQUIPMENT FOR THE CONSTRUCTION, MINING & AGGREGATES INDUSTRIES
DALLAS • SAN ANTONIO • HOUSTON

3131 N. HIGHWAY 181
IRVING, TEXAS 75062

Hoss
EQUIPMENT CO.

VOL 24 PAGE 287

PHONE 972-257-1244
FAX 972-594-0822
FAX 972-255-8538

FACSIMILE

DATE: 4/9/98 FAX NO: 903-577-6793
TO: TITUS COUNTY AUDITORS OFFICE SUITE 202
ATTN: AMBER
FROM: MILLO PARKS
REF: BID

WE ARE PLEASED TO GIVE YOU THE
FOLLOWING AMOUNTS "AS IS CONDITION"
FOR EITHER OR BOTH UNITS DESCRIBED
BELOW AT YOUR SITES.

CAT 140G MOTORGRADER WITH R. RIPPER
S/N 72V 17618 \$116,000.00

CAT 12G MOTORGRADER WITH F. SCORIFIER
S/N 61M 11643 \$57,500.00

THIS OFFER IS GOOD NOW AND FOR 1 WEEK
MORE.

SEND US AN INVOICE WITH WIRING INFO IF
WE ARE SUCCESSFUL.

Sincerely

NUMBER OF PAGES INCLUDING COVER SHEET:

PLEASE CALL 972-257-1244 IF YOU DO NOT RECEIVE ALL PAGES.

Millobanks U.P.

1/1 4 4472211089 ON 7181 123 91181 88.10 10/08/98

NOV 98

DATE: April 9, 1998
FROM: R.L. Steed Co.
FM 455 W
Box 652
Celina, TX 75009
TO: Mr. William White
Business Manager
Titus Co.
100 W. 1st
Mt. Pleasant, TX 75455
RE: Bids on Used Motorgraders

Mr. White:

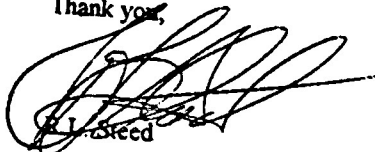
I submit the following bids on the used motorgraders.

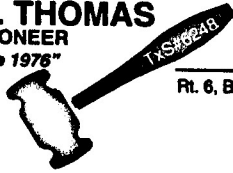
CAT 12G S/N 61M11643 \$ 57,000.00 US

CAT 140G S/N 72V17618 \$112,000.00 US

Payable upon invoice with guarantee of no liens.

Thank you,


R.L. Steed



4/8/98

Commissioners Court of Tarrant County, Texas
William White
Business Manager

RE: Bids to Purchase Caterpillar Motor
Graders.

1 - Caterpillar 140 G Motor Grader
S/N 72V17618
Bid Price: \$ 101,001.00

1 - Caterpillar 12 G Motor Grader
S/N 61M11643
Bid Price: \$ 51,253.27

Sincerely,

Brett R. Thomas

PUBLIC NOTICE

THE COMMISSIONER'S COURT OF TITUS COUNTY IS SOLICITING BIDS FOR THE SALE
OF TWO USED MOTORGRADERS. A MODEL A-500 GALION AND A CATERPILLAR MODEL 12G,
S/N 08Z34288

THESE GRADERS MAY BE INSPECTED AT PRECINCT 2 AND PRECINCT 4 MAINTENANCE
BARNs BETWEEN THE HOURS OF 7:30A.M. AND 3:30 P.M., MONDAY THROUGH FRIDAY.
BIDS WILL NEED TO BE RECEIVED BY 4:00 P.M., FRIDAY, MARCH 20, IN THE AUDITOR'S
OFFICE, ROOM 202, IN THE TITUS COUNTY COURTHOUSE. BIDS WILL BE OPENED IN THE
TITUS COUNTY COMMISSIONER'S COURTROOM AT 9:00 A.M., MONDAY, MARCH 23, 1998.

THE COUNTY RESERVES THE RIGHT TO ACCEPT OR REJECT ANY OR ALL BIDS.

CAT 12 G
S/N 08Z34288

31,110⁰⁰

WILLIAM WHITE
BUSINESS MANAGER

Glen A. Hensley
HC 15 Box 194
SMITHVILLE, OKLA. 74157

580-244-3497

**WAUKESHA-PEARCE INDUSTRIES, INC.**

3106 NORTH HWY. 42 • KILGORE, TX 75662

903/984-2011 • FAX: 903/984-1596

COMMISSIONER'S COURT OF TITUS COUNTY
WILLIAM WHITE, PURCHASING AGENT
100 W. 1ST STREET
MOUNT PLEASANT, TX 75455

SUBJ: MOTOR GRADER PROPOSAL

Waukesha-Pearce Industries, Inc. is pleased to submit for your consideration the following bid proposal for two new motor graders.

2 EA GALION 850C MOTOR GRADERS

BID PRICE: \$99,099.00 EA

FACTORY WARRANTY: ONE YEAR OR 1500 HOURS - WHICHEVER OCCURS FIRST

DELIVERY: NINETY DAYS AFTER RECEIPT OF ORDER

OPTIONS: 14 FOOT MOLDBOARD IN LIEU OF 12 FOOT ADDITIONAL \$270.00

Please see attached for specifications.

Thank you for giving Waukesha-Pearce Industries, Inc. the opportunity to bid. If you have questions, please feel free to call.

Sincerely,
Waukesha-Pearce Industries, Inc.

Jon D. Kingsley, Jr.
Sale Representative

cc: Titus1

JK/lb

THE POWER PEOPLE.

A PEARCE INDUSTRIES, INC. COMPANY



P. O. Box 540788 • Dallas, Texas • 75354-0788 • 972/721-2000

QUOTATION

DATE - March 20, 1998

Titus County Comissioner's Court
Titus County Courthouse
Mount Pleasant, TX

F.O.B. Pct. #2 and Pct. #4 County Barns
TERMS: To Be Agreed On-Up To 60 Months
Financing At 6% Simple Interest

Prices Quoted Are Firm For a Period Of 30 Days.

| DESCRIPTION | REFERENCE | AMOUNT |
|--|-----------|----------------|
| New Catepillar 140H V.H.P. Motor Grader With all Standard Equipment as Well As: 50 AMP Alternator, Cab Mounted Lights, Air Conditioner/Heater, Rear Defroster Fan, V.H.P. Engine, Speedometer/Tachometer, H.D. Batteries, Hydraulics, 14' Blade, Rear Ripper/Scarifier With 3 Ripper Shanks and 9 Scarifier Shanks and Teeth, 14:00 - 24 12-Ply Tires and Dual Inside Mirrors. | | |
| Delivered Price with Standard Caterpillar 6 Month Factory Warranty | | \$152,172 EACH |
| For Optional 3 Year 5000 Hour Extended Power Train Warranty add: | | \$ 3,150 EACH |
| DELIVERY: Approximately 75 + 100 Days. 1 MACH. APPROX. 15 JUN 98 + 1 MACH. APPROX. 1 JUL 98 715 | | |
| Guaranteed Repurchase at End of 3 Years 5000 Hours Whichever Comes First: \$135,064 each. | | |
| Trade-In Allowance on Used Galion A-500: \$ 10,000.00 | | |
| Trade-In Allowance on Used Caterpillar 12G: \$ 40,000.00 | | |
| | | |
| Title - J.C. SMITH, Sales Manager | | |

SPECIFICATION FOR GALION 850C MOTOR GRADER

| | |
|------------------|---|
| Operating Weight | Base unit without attachments 32,080 LB. |
| Engine | Komatsu S6D114E-1, 4- cycle diesel, turbocharged, 6 cylinder, 504.5 in ³ , 166 net flywheel horse power @ 2500 RPM. |
| Transmission | Full power shift transmission with integral free wheeling stator type torque converter. Six forward and three reverse gears. |
| Final Drive | Final reduction in tandem. |
| Circle | 60" outside diameter, 360 degree, hydraulic, four 24" support shoes, inside tooth location. Circle driven by hydraulic motor and gearbox. |
| Blade | 12' x 26" x 7/8" high carbon steel, articulated reach outside of rear tires: 112" right and 117" left, hydraulic side shift. For 14 ft. moldboard add 12" left and right. |
| Frame | 20 degrees left or right |
| Front Axle | 36 degree total oscillation, 17.5 degree left or right wheel lean angle, solid bar construction welded steel sections, 24.2" ground clearance. |
| Steering | Hydraulic power system providing stopped engine steering, 24' 4" minimum turning radius. |
| Wheels and Tires | 10" rims, 14.00 x 24 radial |
| Hydraulics | Load sensing closed center hydraulics with variable displacement piston pump, exceeding 2100 PSI. |
| Brakes | Foot operated, sealed oil disc brakes, hydraulically actuated, effective on 4 tandem wheels with dual cross- over circuit, reserve power assist and operating warning system. |
| Cab | Fully enclosed, low profile with ROPS, heater, defroster, rear view mirror, sound suppression, suspension seat, tinted glass, front and rear wiper. |
| Air Conditioner | Included |

ROADRUNNER
EQUIPMENT COMPANY

(903) 894-8388
FAX (903) 894-8246

3/19/98

To: William White Business Mgr.

From: Robert C Gresham, owner.

SEALED Bids on Motor Graders

① GALLION A-500 s/n IH-10444 Grader \$15,176.⁰⁰/₁₀₀
Pct # 2

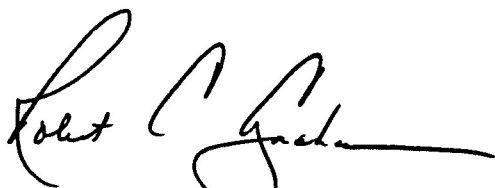
③ CAT 12G s/n 61M11643 Grader \$52,500.⁰⁰/₁₀₀
Pct. # 4

ROADRUNNER Equip. Co.

P.O. Box 135

Bullard, Tx 75757

(903) 894-8388



P. O. Box 135 (HWY. 69 S.) • Bullard (Tyler), Texas 75757