

**COMMISSIONERS' COURT
SPECIAL MEETING
JULY 26, 1999**

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in *Special Session* on Monday, July 26, 1999, 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
SHERRY MARS.....COUNTY CLERK

ABSENT: NONE

PUBLIC AND COUNTY OFFICIALS ATTENDING MEETING:

CARL JOHNSON, AUDITOR

**ANN RUNDLE
BURNIS COVINGTON**

PHILLIP CROMWELL

**IN THE MATTER OF
OPENING AND CONSIDERING BIDS**

WASHED GRAVEL

Bids from Hanson Aggregates and H. E. Spann and Co., Inc. was received.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Billy J. Thompson to approve the bid from Hanson Aggregates for pick up of washed gravel at \$6.30 per ton. Motion carried unanimously. *SEE ATTACHMENT "A"*

STEEL CULVERTS

Only one bid was received from Texas Steel Culvert Co., Inc.

Motion was made by Commissioner Mike Price and seconded by Commissioner Billy J. Thompson to approve the bid from Texas Steel Culvert Co., Inc. Motion carried unanimously. *SEE ATTACHMENT "B"*

RECREATION OF COUNTY CLERK'S RECORDS

This matter will be tabled until August 23, 1999.

IN THE MATTER OF
CONSIDERING AND APPROVING THE RESOLUTION
AND TAX RESALE DEED FOR PROPERTY LOCATED
IN THE EAST ONE-HALF OF LOT 1, BLOCK 38 ORIGINAL
TOWNSITE OF TALCO RECORDED IN VOLUME 408
PAGE 846 OF THE TITUS COUNTY DEED RECORDS

Motion was made by Commissioner Billy J. Thompson and seconded by Commissioner Mike Fields to approve the Resolution and Tax Resale Deed for property located in the east one-half of lot 1 block 38 original townsite of Talco for the sum of \$1,125.00. Motion carried unanimously. *SEE ATTACHMENT "C"*

**IN THE MATTER OF
APPROVING BUDGET AMENDMENTS**

None were presented.

Commissioner Mike Fields stated, "The City of Mt. Pleasant engineer has presented us a proposal for the parking lot at the corner of Madison and First Street that is owned by the County. If you would like to see it following this meeting I have it on hand."

IN THE MATTER OF
APPROVING COUNTY OFFICIAL REPORTS

Motion was made by Commissioner Billy J. Thompson and seconded by Commissioner Thomas E. Hockaday to approve reports from County Auditor, County Treasurer, Tax Assessor - Collector, Winfield Volunteer Fire Department. Motion carried unanimously.

County Attorney Tim Taylor asked to speak. Mr. Taylor said, "The Attorney General of Texas is holding a conference on the open records act on August 6, 1999. Today is the last day to register. I plan to attend this meeting and I would like to know if any members of the Court would like to attend this conference with me. If so, I will be glad to turn in a registration for all of us. This is a free conference but I have no literature as to where in Mt. Pleasant it is going to be held."

After a short discussion Mr. Taylor informed the Court that he would register for 4 slots at the conference.

IN THE MATTER OF
SIGNING PAY ORDER AND PAYING BILLS

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

Judge Crooks asked, Mr. Covington would you like to speak.

Mr. Covington replied, "Yes. The Oddfellows Lodge would like to invite the Court to come to supper tomorrow evening at the Lodge. We will be having the newly appointed Sheriff, Arvel Shepard as our guest speaker for the evening. We are in hopes that some of you will be able to attend. Thank you for your time."

IN THE MATTER OF
ADJOURNMENT

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

HANSON AGGREGATES

923 HICKORY ST., TEXARKANA, ARKANSAS 71854

PHONE: 870/775-7691

MATERIALS DIVISION
CRUSHED GRAVEL - SAND & GRAVELTITUS COUNTY COMMISSIONER COURT
WILLIAM WHITE-BUSSINESS MANAGERQUOTATION NO. JB 87-01
DATE: JULY 1, 1988WE ARE PLEASED TO QUOTE THE FOLLOWING PRICE FOR THE DESCRIBED MATERIALS FOR USE ONLY ON FOR
COUNTY PROJECTS

ALL PRICES SUBJECT TO APPLICABLE SALES TAX UNLESS EXEMPTION CERTIFICATE FURNISHED.

PLANT: LITTLE RIVER

WASHED GRAVEL 3/8:-#10

FOB TRUCKS: LITTLE RIVER PLANT
\$8.30 PER TON

WASHED GRAVEL 3/8:-#10

FOB TRUCKS: TITUS COUNTY
\$13.29 PER TON

PRICES QUOTED WILL BE VALID AUGUST 1, 1988 THRU JUNE 30, 2000

TRANSPORTATION EXPENSE AT TIME OF DELIVERY WILL BE AN ADDITIONAL CHARGE.

DUE TO PRODUCTION SCHEDULING THIS QUOTE IS VALID UNTIL TEN (10) DAYS AFTER
DATE OF QUOTATION.

HANSON AGGREGATES

BY John E. Betts
JOHN E. BETTS
TECHNICAL MARKETING REPRESENTATIVE

PUBLIC NOTICE

THE COMMISSIONER'S COURT OF TITUS COUNTY, TEXAS IS SOLICITING BIDS FOR THE PURCHASE OF WASHED GRAVEL. (3/8 TO # 10)

QUOTED PRICES WILL REMAIN IN EFFECT FROM AUGUST 1, 1999 THROUGH JUNE 30, 2000. PLEASE SUBMIT PRICES DELIVERED TO TITUS COUNTY AND PICKED UP FROM BIDDER'S LOCATION.

BIDS MUST BE RECEIVED IN THE AUDITOR'S OFFICE, ROOM 203, IN THE TITUS COUNTY COURTHOUSE NO LATER THAN 4:00 P.M. FRIDAY, JULY 23, 1999. BIDS WILL BE OPENED IN THE TITUS COUNTY COMMISSIONER'S COURTROOM IN THE TITUS COUNTY COURTHOUSE ON MONDAY, JULY 26, 1999 AT 9:00 A.M.

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

WILLIAM WHITE
BUSINESS MANAGER

MATERIAL + TRANSPORTATION - \$ 12.34 per ton
MATERIAL picked up in our yard - \$ 12.43 per ton
TRANSPORTATION only from Hanson Link River to your Job site \$ 6.59 per ton
with material charged to county.

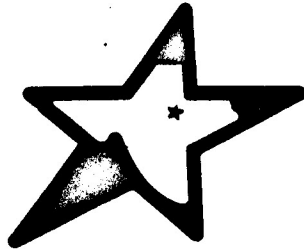
H.E. SPANN & Co INC
P.O. Box 1111
Mt. Pleasant tx 75456-1111
903 572 8515
Ken Hall
7-7-99

Specializing in Truck Transportation
of Bulk Commodities
Arkansas, Louisiana, Oklahoma, Texas



MAIN TERMINAL & OFFICES
HWY. 67 EAST - BOX 1111
MT. PLEASANT, TEXAS 75456-1111

KEN HALL
OFF. 903-672-8515
RES. 903-672-6709


Texas Steel Culvert Co. Inc.

P.O. Box 727 Arlington, Texas 76004 817-265-2255 1-800-772-6666

TITUS COUNTY
ANNUAL BID - CORRUGATED METAL CULVERTS

JULY 1, 1999 - JUNE 30, 2000

2-2/3" x 1/2" Corrugation

<u>Diameter</u>	<u>16 gauge</u>	<u>14 gauge</u>
12"	\$ 3.86LF	
15"	4.79	
18"	5.72	
24"	7.45	
30"	9.35	
36"	11.26	
48"	14.85*	\$ 17.95LF

*Starred item does not meet Texas Department of Transportation Specification Item 460.

All pipe delivered F.O.B. jobsite or County Barns. All deliveries within 7-10 working days. Next day service in emergencies, if requested.

All pipe ends will be ground smooth and regalvanized with cold galvanizing compound. Recorrugated pipe ends are available upon request.

Arched pipe and round pipe in all diameters and gauges are available at comparable prices. Polymer coated pipe are also available if desired.

Fabricated items and special orders will be handled as requested.

TEXAS STEEL CULVERT CO., INC.

By:

Bob Thompson, Corporate Officer

Date: JUNE 23, 1999

CORRUGATED PIPE ★ GEO TEXTILES ★ ROAD STABILIZATION ★ EROSION CONTROL

WHEREAS, Commissioners Court of Titus County, Texas has become the owner of certain real property (see attached Exhibit 'A') by virtue of the fact that a sufficient bid was not received at a sale conducted by the Sheriff pursuant to an order of the District Court in (see attached Exhibit 'A').

WHEREAS, a potential buyer of the property has come forward, and

WHEREAS, all taxing entities involved in the above referenced cause must consent to the sale of the hereinabove described real property, and

WHEREAS, it is to the benefit of all the taxing entities involved that the property be returned to their respective tax rolls;

NOW THEREFORE BE IT RESOLVED BY THE

Commissioners Court of the county of Titus, Titus County, Texas

That the County Judge be and is hereby directed and authorized to execute the deed and any and all documents necessary to convey the hereinabove described real property to (see attached Exhibit 'A')

for and in consideration of the cash sum of (see attached Exhibit 'A'), said money to be distributed pursuant to Chapter 34 of the Texas Property Tax Code.

Resolved this the 26 day of July, 1999.

Attest: Sherry Mars
SHERRY MARS, TITUS COUNTY CLERK

Danuel Clark
County Judge

By Jean Crover Deputy
Secretary (Jean Crover, Deputy)
(seal)

Those Voting Aye Were:

Mike Linn
Mike Fields
Bill Thompson
Thomas E. Hochaday

Those Voting Nay Were:

EXHIBIT A

Cause No.	22,124 City of Talco vs. James A. Dunn, et al
Judgment date	June 20, 1997
Judgment Amount	\$655.37-Talco-Bogata CISD \$759.58-City of Talco \$214.72-Titus County \$43.29-NETCCollege
Present Bid	\$1,125.00
Bidder	Arnold or Nancy McNeal Route 2, Box 48 Idabel, Oklahoma 74745

PROPERTY DESCRIPTION

The East one-half of Lot 1, Block 38, Original Townsite, Town of Talco, being more particularly described in Volume 408, Page 846, Deed Records of Titus County, Texas (Acct. # 0004000-00380-00012/R26931-City of Talco, Talco-Bogata CISD, NETCC)

VOL 26 PAGE 284

IN TESTIMONY WHEREOF Titus County has caused these presents to be executed this
26 day of July, 1999.

Titus County

BY: Denny P. Crooks

County Judge

STATE OF TEXAS
COUNTY OF TITUS

X
X

This instrument was acknowledged before me on this 26th day of
July, 1999, by Denny P. Crooks County Judge, of
Titus County.



Kara Denise Sanchez

Notary Public, State of Texas
Commission Expires: May 1, 2001

After recording return to:

Arnold or Nancy McNeal
Route 2, Box 48
Idabel, Oklahoma 74745

slb/D:\my documents\vsale deeds\22124res.doc/06/17/99 1:22 PM

TAX RESALE DEED

STATE OF TEXAS

X

X KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TITUS

X

That Talco-Bogata Consolidated Independent School District, Northeast Texas Community College District, City of Talco, and Titus County, acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of \$6,000.00 cash in hand paid by

JOHNNY & KIMBERLY STANSELL
BOX 187
TALCO, TEXAS 75487

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, has quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under Cause No. 24,244, in the district court of said county, said property being located in Titus County, Texas, and described as follows:

TRACT 3

3.00 ACRES, OUT OF THE M. V. DELGADO SURVEY, ABSTRACT 158, AS DESCRIBED IN VOLUME 320, PAGE 297, DEED RECORDS OF TITUS COUNTY, TEXAS (ACCT. # 0000158-00000-01000-CITY OF TALCO, #R26066, #20158-00000-2400-TALCO BOGATA CISD, NORTHEAST TEXAS COMMUNITY COLLEGE DISTRICT)

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

SUBJECT however to the following covenant, condition and restrictions:

- (a) The above described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study or instruction which discriminates against any person because of his race, color or national origin, regardless of whether such discrimination be effected by design or otherwise.
- (b) The above described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study or instruction which creates, maintains, reinforces, renews, or encourages, or which tends to create, maintain, reinforce, renews or encourage a dual school system.

These restrictions and conditions shall be binding upon grantee and grantee's successors, assigns, heirs and personal representatives for a period of fifty (50) years from the date hereof.

The foregoing restrictions and the other covenants hereafter set out are covenants running with the land, and each and every parcel thereof, and shall be fully binding upon any person, firm, partnership, corporation, trust, church, club, governmental body, or other organization or entity whatever (whether private or governmental in nature), without limitation hereinafter acquiring any estate, title, interest or property in said land, whether by descent, devise, purchase or otherwise; and no act or omission upon the part of grantor herein, its successors and assigns, shall be a waiver of the operation or enforcement of such restrictions; but neither restriction shall be construed to be a condition subsequent or special limitation on the estate thereby conveyed.

It is further covenanted, that third party beneficiaries of the restrictions set forth above shall be as follows:

- (1) As to the restrictions set out in (a) above, any person prejudiced by its violation;
- (2) As to the restriction set out in (b) above, any public school district or any person prejudiced by its violation; and
- (3) As to either or both of the restriction set out in (a) and (b) above, the United States of America, as plaintiff, and the America G.I. Forum, the League of United Latin American Citizens (LULAC), and the National Association for the Advancement of Colored People (NAACP), as intervenors, in U.S. v. Texas, Civil Action No. 5281, Tyler Division, U.S. District County, Eastern District of Texas; reported in U.S. v. Texas, 321 F. Supp. 1043 (E.D. Tex. 1970); U.S. v. Texas, 330 F. Supp. 235 (E.D. Tex. 1971); aff'd with modifications sub. nom. U.S. v. State of Texas and J.W. Edgar, et al., 447 F.2d 441 (5 Cir. 1971); stay den. sub. nom. Edgar v. U.S., 404 U.S. 1206 (1971); cert. den. 404 U.S. 1016 (1972).

It is further covenanted that in case of violation of either or both of the above restrictions, any of the third party beneficiaries above alluded to is authorized and empowered to prosecute proceedings at law or in equity against any person, firm, partnership, corporation, trust, church, club, governmental body or other organization or entity whatever (whether private or governmental in nature), without limitation:

- (A) To enforce either or both of such restrictions relating to the use of the above-described realty;
- (B) To abate or prevent violations of either or both of such restrictions; and
- (C) To recover damages for a breach of either or both such restrictions.

It is further covenanted, that is any third party beneficiary referred to above shall prosecute proceedings at law or in equity for the aforesaid purposes, such third party beneficiary may recover reasonable attorney's fees from the violator or violators of either or both of such restrictions, of the Court finds that the proceedings were necessary to bring about compliance therewith.

Taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to any existing right of redemption remaining in the former owner of the property under the provisions of law and also subject to any recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the year the tax lien(s) arose.

IN TESTIMONY WHEREOF City of Talco has caused these presents to be executed this
24 day of May, 1999.

City of Talco

BY: *K. M. Sloan*

Mayor

STATE OF TEXAS
COUNTY OF TITUS

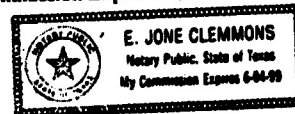
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X

This instrument was acknowledged before me on this 24 day of
May, 1999, by K. M. Sloan Mayor, of City of
Talco.

E. Jone Clemmons

Notary Public, State of Texas
Commission Expires: 6-04-99



IN TESTIMONY WHEREOF Talco-Bogata Consolidated Independent School District has caused these presents to be executed this 7th day of June, 1999.

Talco-Bogata Consolidated Independent School District

BY: Ledy Braun
President

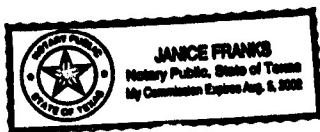
STATE OF TEXAS
COUNTY OF TITUS

X
X

This instrument was acknowledged before me on this 7th day of June, 19 99, by Eddy Brown President, of Talco-Bogata Consolidated Independent School District.

Janice Franks

Notary Public, State of Texas
Commission Expires:



IN TESTIMONY WHEREOF Northeast Texas Community College District has caused these
presents to be executed this 26th day of May, 1999.

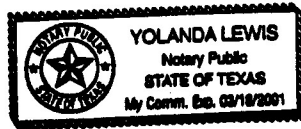
Northeast Texas Community College District

BY: Gerry L. Mamey
President

STATE OF TEXAS
COUNTY OF TITUS

X
X

This instrument was acknowledged before me on this 26th day of
May, 1999, by Gerry L. Mamey President, of Northeast Texas
Community College District.



Yolanda Lewis

Notary Public, State of Texas
Commission Expires:

IN TESTIMONY WHEREOF Titus County has caused these presents to be executed this
24 day of May, 1999.

Titus County

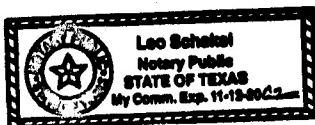
BY: [Signature]
County Judge

STATE OF TEXAS
COUNTY OF TITUS

X

X

This instrument was acknowledged before me on this 25th day of
May, 1999, by [Signature] County Judge, of
Titus County.



[Signature]

Notary Public, State of Texas
Commission Expires: 11-12-00

After recording return to:

Johnny & Kimberly Stansell
Box 187
Talco, Texas 75487



STATE OF TEXAS
COUNTY OF TITUS

I hereby certify that this instrument was FILED on
the date and at the time stamped herein by me and
was duly RECORDED in the Volume and Page of
the named RECORDS of Titus County, Texas, as
stamped herein by me on 8-3-99

[Signature] Sherry Mars
County Clerk
Titus County, Texas