

2015-01
ORDER

THE STATE OF TEXAS *
COUNTY OF TITUS *

BE IT REMEMBERED that the Commissioners' Court of Titus County met in Regular Session on March 23, 2015, after notice of the meeting had been posted in the form, manner and place required by law, with a quorum of its members present and participating in the meeting when, among other matters, the following came on to be considered, and action taken thereon, to-wit:

Came on to be considered, the request of Luminant Mining Company, LLC, to, at times, temporarily close a segment of a certain county road located in Titus County, Texas, said work being more particularly described as follows:

Temporarily closing a portion of Titus County Road 2500, being approximately due west of an existing road being used by Luminant as a haul road, approximately _____ miles North of its intersection with Texas Farm to Market Road 127, to allow for a dragline to be moved across County Road 2500, said closure being shown on Exhibit "A". Luminant would propose that the existing roadway be excavated for a temporary dragline walkway and, at the conclusion of the dragline move, the existing roadway be repaired to its then current condition as a roadway. It is anticipated that such temporary closure will last 3 days unless unanticipated downtime on the dragline is incurred. As for the times of the closures, prior notification of at least 7 days will be given to the Commissioners.

Luminant requests that such closure be allowed for a 2-3 day period between April 12 and May 12, 2015, depending on the appropriate weather conditions.

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

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

That the following described segment of Titus County Road 2500 shall be temporarily closed as follows:

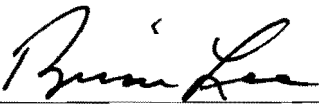
Temporarily closing a portion of the Titus County Road 2500, being approximately due west of an existing road being used by Luminant as a haul road, approximately _____ miles North of its intersection with Texas Farm to Market Road 127, to allow for a dragline to be moved across County Road 2500, said closure being shown on Exhibit "A". Luminant would propose that the existing roadway be excavated for a temporary dragline walkway and, at the conclusion of the dragline move, the existing roadway be repaired to its then current condition as a roadway. It is anticipated that such temporary

closure will last 3 days unless unanticipated downtime on the dragline is incurred. Said closure shall be between April 12 and May 12, 2015, depending on the appropriate weather conditions. As for the times of the closures, prior notification of at least 7 days will be given to the Commissioners.

IT IS FURTHER DETERMINED BY THE COMMISSIONERS' COURT that the interests of the public and affected landowners have been protected.


Upon a vote, all voted "aye", and none voted "no", and the County Judge declared the Order passed, approved, and adopted as of the 23rd day of March, 2015.

SIGNED, ENTERED and ORDERED FILED on this the 23rd day of March, 2015.



Brian Lee, County Judge

ATTEST:



TITUS, County Clerk

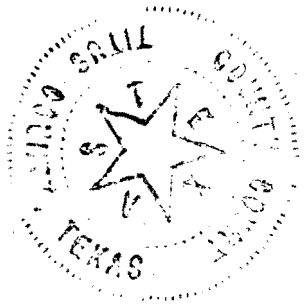
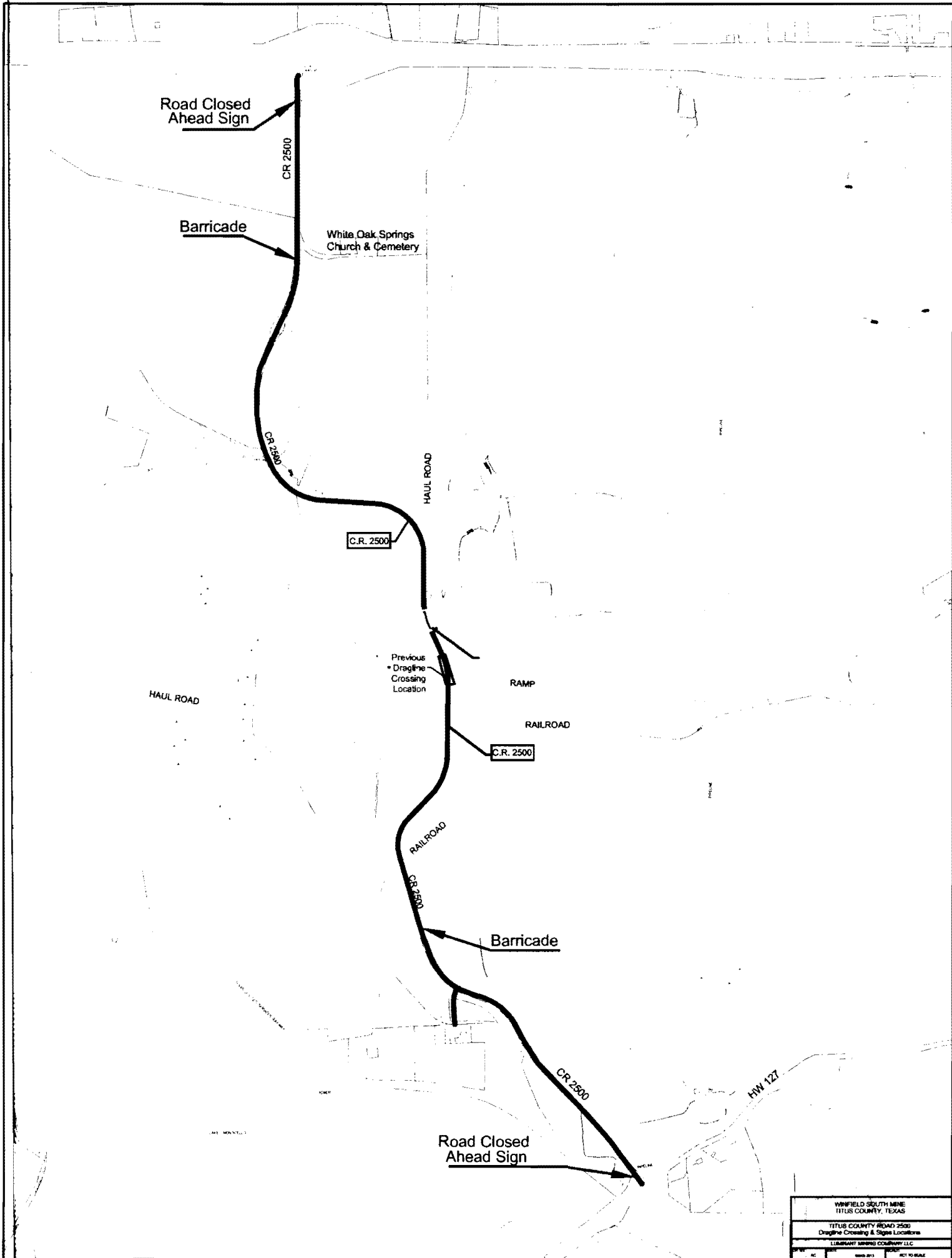


EXHIBIT "A"



| | |
|-------------------------------------|---------|
| WINFIELD SOUTH MINE | |
| TITUS COUNTY, TEXAS | |
| TITUS COUNTY ROAD 2500 | |
| Dragline Crossing & Signs Locations | |
| LUMBERT MINE COMPANY LLC | |
| DATE | REVISED |
| BY | BY |

RUSSELL & WOOTTEN, P.C.

ATTORNEYS AT LAW

P.O. BOX 1135

204 W. SEVENTH STREET

MT. PLEASANT, TEXAS 75456-1135

FILED FOR RECORD

2015 MAR 18 AM 10:21

COUNTY CLERK TITUS CO TX

BY RM DEPUTY

KERRY WOOTTEN

TELEPHONE
(903) 572-3653
FAX
(903) 572-7442

March 17, 2015

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

RE: Request to temporarily close a county road located in Titus County, Texas

Gentlemen:

Luminant Mining Company LLC ("Luminant") would show that it has coal and lignite leases in Titus County, Texas. In order to conduct mining operations on this property, it will be necessary to, at times, temporarily close a certain section of a public road in Titus County. Pursuant to authority vested in the Commissioners Court under Texas Local Government Code, Sec. 81.028(2) and Texas Transportation Code, Sec. 251.051, Luminant respectfully requests the Commissioners Court of Titus County, Texas, to allow the following:

Luminant requests that a portion of Titus County Road 2500, being approximately due west of an existing road being used by Luminant as a haul road, approximately _____ miles North of its intersection with Texas Farm to Market Road 127, be temporarily closed to allow for a dragline to be moved across County Road 2500, said closure being shown on Exhibit "A". Luminant would propose that the existing roadway be excavated for a temporary dragline walkway and, at the conclusion of the dragline move, the existing roadway be repaired to its then current condition as a roadway. It is anticipated that such temporary closure will last 3 days unless unanticipated downtime on the dragline is incurred. As for the times of the closure, prior notification of at least 7 days will be given to the Commissioner.

Luminant requests that such closure be allowed for a 2-3 day period between April 12 and May 12, 2015, depending on the appropriate weather conditions.

Luminant requests that the Commissioners Court of Titus County, Texas, adopt and enter an order which temporarily closes Titus County Road 2500.


In the event there are individuals living on lands in the vicinity of the road for which closure is being requested, no such resident or landowner will be denied access to their property.

Luminant would also show that the interests of the public and affected landowners will be protected at all times by the closing of this road.

Thank you very much for your consideration in this matter.

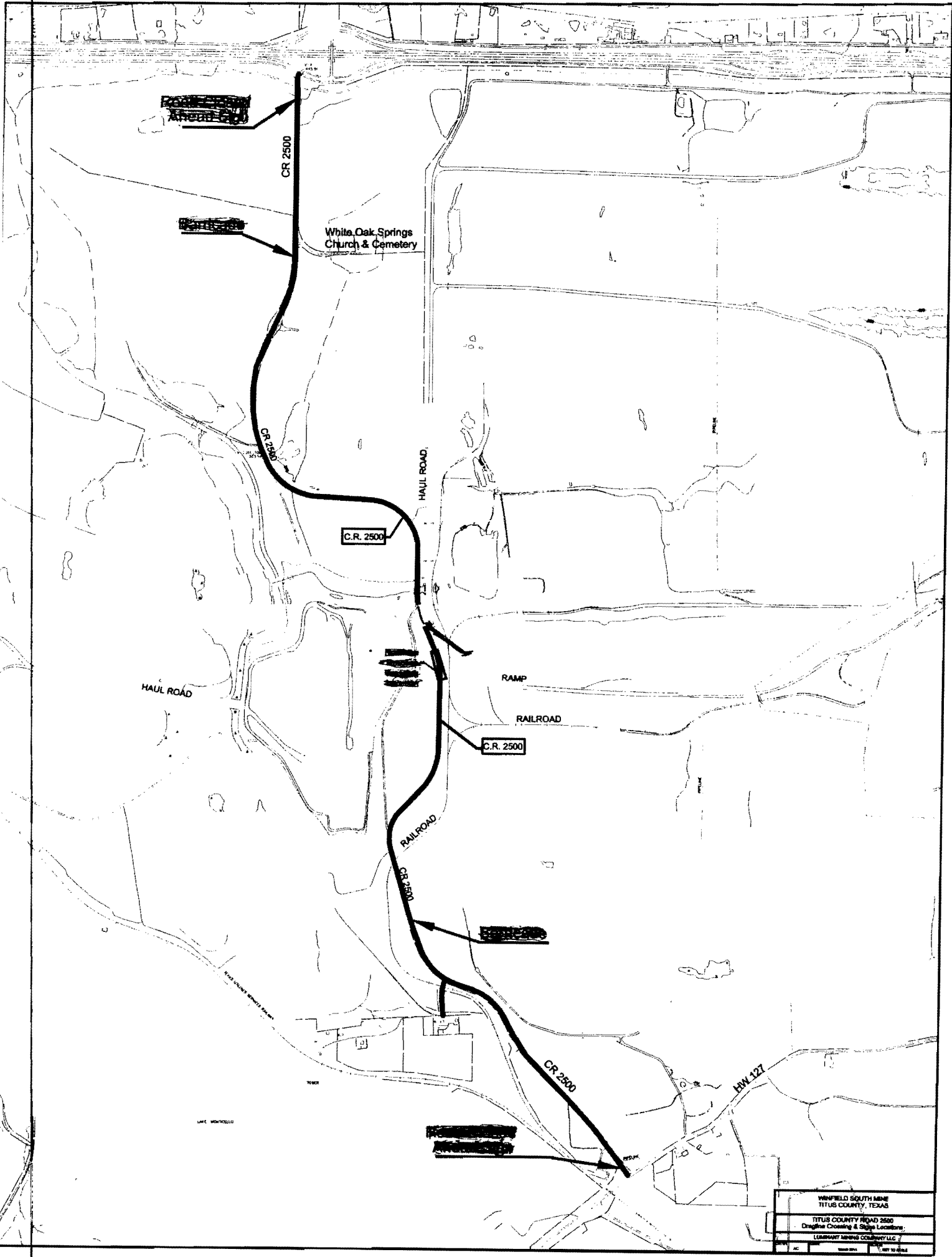
Respectfully submitted,

Luminant Mining Company, LLC

By: 
Kerry Wootten, Attorney

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P. O. Box 1135
Mt. Pleasant, Texas 75456-1135
Telephone: (903) 572-3653
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State Bar Card No. 21993600



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|---|----|
| WINFIELD SOUTH MINE TITUS COUNTY, TEXAS | |
| TITUS COUNTY ROAD 2500 Dragline Crossing & Slope Locations | |
| LUMBERT MINE COMPANY, LLC | |
| DATE | BY |
| | |