

FILED FOR RECORD: 5-5 1974 9:00 o'clock P.M.
DULY RECORDED: 5-16 1974 9:00 o'clock P.M.
INSTRUMENT NO. _____
BY: Allen Sturrock DEPUTY CLERK, TYLER COUNTY CLERK

TYLER COUNTY COMMISSIONER'S COURT
SPECIAL MEETING
MAY 7, 1974
10:00 A.M.

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At the Special Meeting of the Tyler County Commissioner's Court all members were present except Comm. Belt. The Meeting held on the above date and time opened with a prayer.

A motion was made by Comm. Best and seconded by Comm. Jordan to accept the contract with Truitt F. Pritchard & Associates, Inc. to assist the Commissioner's Court in determining the values for tax purposes on certain classes of property in Tyler County. See attached Resolution and order. All voted yes, none voted no.

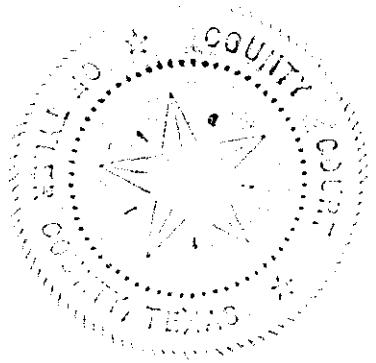
A motion was made by Comm. Best and seconded by Comm. Parks to have a pay phone installed at Hennegan Park on Livingston Highway. All voted yes, none voted no.

A motion was made by Comm. Best and seconded by Comm. Jordan to authorize the Tyler County Historical Survey Committee to publish the Tyler County Cemetary Records on the Xerox copy machine. All voted yes, none voted no.

A motion was made by Comm. Best and seconded by Comm. Parks to authorize the County to advertise for bids on a years supply of copy paper and adding machine paper. Bids to be opened May 31st, 1974 at 10:00 A.M. All voted yes, none voted no.

There being no further business, the Meeting adjourned.

SIGNED: Tom D. Mann Tom D. Mann, County Judge
Joe Best Joe Best, Comm. Pct. #1
H.M. Parks H.M. Parks, Comm. Pct.#2
ABSENT Kenneth Belt, Comm. Pct.#3
James R. Jordan James R. Jordan, Comm.Pct.#4
ATTEST: Allen Sturrock Allen Sturrock, County Clerk



Truett F. Pritchard & Associates, Inc.

4141 SOUTHWEST FREEWAY

SUITE 525

HOUSTON, TEXAS 77027

713-622-8682

VALUATION ENGINEERS · PROPERTY TAX CONSULTANTS

VOL 002 PAGE 295

May 7, 1974

Honorable Commissioners' Court
Tyler County
Woodville, Texas 75979

Gentlemen:

We appreciate the opportunity to offer the services of our company to Tyler County for the appraisal of Oil and Gas, Industrial, Public Utility, and Pipe Line properties for ad valorem tax purposes. We wish to submit the following information concerning the services.

Valuation

Our company will prepare appraisals of Oil and Gas, Industrial, Pipe Line, Railroad, Public Utility, and related properties, by qualified appraisers and engineers. An inspection and inventory of property will be completed near January 1st each year. Our staff will appraise the property, employing the Cost, Income, and Market Data Approaches to Value, as applicable, and subsequently render our opinion as to the fair market value of the properties.

Services

We will submit progress reports, plan the timing of our work to meet your needs, and be available as your tax consultants.

Board of Equalization

Qualified appraisers and engineers will be available at all Board of Equalization hearings to submit evidence and testimony relating to the valuations. Our appraisers and engineers will also be available to submit testimony if litigation ever arises.

OIL & GAS

INDUSTRIAL

UTILITIES

COMMERCIAL

Honorable Commissioners' Court
Tyler County, Texas

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Legal

While we do not contract legal services, we have retained a law firm experienced in ad valorem tax work to assist us with our responsibilities to our clients.

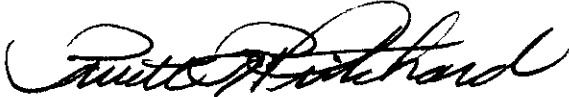
Fee

For and in consideration of the services outlined in this proposal, Truett F. Pritchard & Associates would receive \$2,500.00, per year, for the 1975 and 1976 tax years.

If given the opportunity to serve your County, every effort will be made to do our work in keeping with the high standards of your community.

Respectfully submitted,

TRUETT F. PRITCHARD & ASSOCIATES, INC.



Truett F. Pritchard

TFP/gb

enclosures

TYLER COUNTY
 APPROXIMATE VALUES - 1973

OIL ROLL "B"	1,934,200	@	5	=	\$	967.10
UTILITIES	1,514,450	@	5	=		757.22
PIPELINES	1,382,740	@	5	=		691.37
RAILROADS	252,181	@	5	=		126.09
INDUSTRIAL-MISCL.	- - - -					

TOTAL

\$ 2,541.78

TRUETT F. PRITCHARD & ASSOCIATES, INC.

CURRENT LIST OF APPRAISAL CONTRACTS

CITY OF ARANSAS PASS
 c/o Mr. Gay Walker
 City Manager
 Aransas Pass, Texas

BAY CITY IND. SCHOOL DISTRICT
 c/o Dr. Clarence E. Ham
 Superintendent of Schools
 Bay City, Texas 77414

CHAMBERS COUNTY
 c/o The Honorable O. F. Nelson, Jr.
 County Judge
 Anahuac, Texas 77514

CITY OF CONROE
 c/o The Honorable R. A. Deison, Mayor
 101 Simonton Street
 Conroe, Texas 77301

DANBURY IND. SCHOOL DISTRICT
 c/o Mr. Eugene Bigbie
 Superintendent of Schools
 Box 378
 Danbury, Texas 77534

EAST CHAMBERS IND. SCHOOL DISTRICT
 c/o Mr. N. M. Grivich
 Superintendent of Schools, Box 417
 Winnie, Texas 77665

FAYETTE COUNTY
 c/o The Honorable David M. Murray
 County Judge
 La Grange, Texas

FRIENDSWOOD IND. SCHOOL DISTRICT
 c/o Mrs. Alta Carbone
 Tax Assessor-Collector
 Friendswood, Texas 77546

GALVESTON COUNTY
 c/o The Honorable Ray Holbrook
 County Judge
 Galveston, Texas 77550

HARDIN COUNTY
 c/o The Honorable Emmett Lack
 County Judge
 Kountze, Texas 77625

LIBERTY COUNTY
 c/o The Honorable Thos. J. Hightower
 County Judge
 Liberty, Texas 77575

MATAGORDA IND. SCHOOL DISTRICT
 c/o Mr. Richard R. Serrill, Jr.
 Superintendent of Schools, Box 208
 Matagorda, Texas 77457

ORANGEFIELD IND. SCHOOL DISTRICT
 c/o Mr. F. L. McClain
 Superintendent of Schools
 Orangefield, Texas

SILSBEE IND. SCHOOL DISTRICT
 c/o Mr. Roy Brewer
 Tax Assessor-Collector
 215 W. Avenue "H"
 Silsbee, Texas 77656

TRINITY BAY CONSERVATION DISTRICT
 c/o Mr. Robert Brandon
 Tax Assessor-Collector
 Anahuac, Texas 77514

VICTORIA IND. SCHOOL DISTRICT
 c/o Mr. C. O. Chandler
 Superintendent of Schools
 P. O. Box 1759
 Victoria, Texas 77901

WEST HARDIN IND. SCHOOL DISTRICT
 c/o Mr. Bob Tribble
 Superintendent of Schools
 Saratoga, Texas

WILLIS IND. SCHOOL DISTRICT
 c/o Mr. Ray Elam
 Superintendent of Schools
 Box 377
 Willis, Texas 77378

RESOLUTION AND ORDER OF THE COMMISSIONERS'
COURT OF TYLER COUNTY, TEXAS

THE STATE OF TEXAS X
 X
COUNTY OF TYLER X

BE IT REMEMBERED, that on this the 7th day of MAY, 1974, the Commissioners' Court of Tyler County, Texas, convened in Special Session at a Called meeting of such Court, in the County Courthouse in the City of Woodville, Texas, with the following members present, to-wit:

Tom D. Mann	County Judge
Joe I. Best	Commissioner, Precinct No. 1
H. M. Parks	Commissioner, Precinct No. 2
Kenneth Belt	Commissioner, Precinct No. 3
James R. Jordan	Commissioner, Precinct No. 4
Allen Sturrock	County Clerk

There came on for consideration before the Commissioners' Court, the problem of the equalization for tax purposes, of certain classes of property subject to taxation in Tyler County, Texas, as hereinafter set forth, and the affirmative duty on the part of this Commissioners' Court sitting as a Board of Equalization, to so equalize the values of properties, subject to taxation in Tyler County, Texas, as to bring about, as near as may be, equality and uniformity of taxation as required by the Constitution and Laws of the State of Texas, and in this connection, there came on for consideration, the proposal of Truett F. Pritchard & Associates, Inc., a Texas Corporation, for the performance of certain special skilled and technical services in the appraisal and valuation of the classes of property identified in a contract submitted by said Corporation, and in order to provide the mechanics by virtue of which the Commissioners' Court of Tyler County, Texas, sitting as a Board of Equalization, may achieve its objective of fair, impartial and equal taxation of all classes of property subject to taxation in Tyler County, Texas, and in order that it may be clear that this Commissioners' Court is confining its acts, contracts and judgments in connection with such mechanics of fair,

impartial and equal taxation of property, subject to taxation in Tyler County, Texas, only to those properties lawfully coming within the jurisdiction of the Commissioners' Court of said County, sitting as a Board of Equalization, and a copy of the proposed contract being before the Court, and having been read in its entirety, upon Motion of Comm Best, Seconded by Comm Jordan, said motion duly put and having carried by the following vote:

Voting "Aye" Comm Parks
Comm Jordan
Comm Best
Comm Belt Absent

Voting "No" NONE

IT IS THEREFORE ORDERED by the Commissioners' Court of Tyler County, Texas, that the proposal for the performance of the services as set forth in said Contract shall be, and it is hereby accepted, and said Contract and Agreement in its entirety is hereby adopted, approved, ratified and confirmed, and shall be entered in the Minutes of this Court as the contract and agreement of Tyler County, Texas, and the budget for the year 1975, and that for the year 1976, shall make provision for the payment, out of the lawful current funds of Tyler County, Texas, of the sums and amounts set forth in said contract to be paid to said Truett F. Pritchard & Associates, Inc., and due and proper provisions shall be made therefore, by all officers of the County charged with any duty or duties of preparation or amendment of the budgets of Tyler County, Texas, for the years 1975 and 1976.

IT IS FURTHER ORDERED, that a sufficient tax is hereby levied and shall be levied for each of the years 1975 and 1976 to provide funds for the payment of the sums provided in said contract to be paid for services rendered during the years 1975 and 1976, and the Commissioners' Court of Tyler County, Texas, hereby finds, declares, and adjudicates that there are sufficient funds on hand out of current revenues and sufficient funds reasonably anticipated to be received during the year 1975 to make payment of said sums provided in said contract to be paid said Corporation, and said Commissioners' Court of Tyler County, Texas, does hereby bind and obligate

itself to make and enter all necessary orders and to levy a sufficient tax for the payment of the sums provided in said contract to be paid to said Truett F. Pritchard & Associates, Inc., during the years 1975 and 1976, it being found, declared, and adjudicated by the Commissioners' Court of Tyler County, Texas, that said contract involved the performance of special skilled personal services.

The Commissioners' Court of Tyler County, Texas, further finds, declares, decrees, and adjudicates that in creating a debt for the payment of services to be performed and records to be supplied as provided in such contract for the year 1976, said Commissioners' Court has provided for and has levied a sufficient tax for the years 1975 and 1976 to make provision for the payment of such debt so created.

A copy of said contract is attached to this Resolution and Order, and shall be entered in the Minutes of the Commissioners' Court of Tyler County, Texas, as a part hereof.

STATE OF TEXAS X
 X
 COUNTY OF TYLER X

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the Commissioners' Court of Tyler County, Texas in performance of its duties as Board of Equalization of said County, has contemplated the employment of skilled experts possessing special skill, scientific knowledge and technical ability and equipment, so as to make appraisals and valuations of certain properties enumerated herein, located in Tyler County, and subject to taxation therein, said experts to compile and furnish records and taxation data showing the appraised values of all such properties coming within the jurisdiction of the Commissioners' Court of said County, sitting as a Board of Equalization, for the years 1975 and 1976, for the convenience, use and information of such Board in equalizing the valuations for the tax purposes of properties within the jurisdiction of said Commissioners' Court, sitting as a Board of Equalization, and covered by the terms of this contract, as compared with the valuations for tax purposes of other properties in said County; and

WHEREAS, the Commissioners' Court of Tyler County, Texas, now finds and declares that there is a necessity that such Commissioners' Court, sitting as a Board of Equalization, have available to it, as nearly reliable and accurate taxation data on and appraisals of the properties subject to the terms of this contract as are possible under the circumstances, so as to enable such Commissioners' Court, sitting as a Board of Equalization, to discharge its constitutional and statutory duty of following the Constitutional mandate of uniformity and equality of taxation in said County, as nearly as may be possible; and

WHEREAS, it has been ascertained and determined that Truett F. Pritchard & Associates, Inc., of Harris County, Texas, has special skills and ability and scientific and technical knowledge and equipment, so as to enable it to compile taxation data on and make appraisals and valuations of the properties subject to the terms of this contract for equalization purposes; and it is the purpose of the Commissioners' Court of said County, to employ the services of Truett F. Pritchard & Associates, Inc., for said purposes;

IT IS, THEREFORE, AGREED by and between Tyler County, Texas, acting herein by and through its duly authorized Commissioners' Court, herein sometimes called the "Commissioners' Court", and Truett F. Pritchard & Associates, Inc., herein sometimes called "Company", of Harris County, Texas, as follows:

I.

Company shall gather and compile taxation data on all oil and gas producing properties, public utilities, pipelines, railroad properties, manufacturing and industrial properties, and personal properties used or employed in connection therewith, situated in Tyler County, Texas, and subject to taxation therein, all said property coming within the jurisdiction of the Commissioners' Court of said County, sitting as a Board of Equalization, said appraisals, compilations and records to show the appraised value of all such properties in said County as of January 1, 1975 and 1976.

II.

Company agrees to secure all information possible and available for the use of the Board of Equalization, to assist in enabling such Board to (1) determine the proper valuations to be fixed for and upon the properties subject to the terms of this contract, and (2) to equalize the valuations of the same with all other classes of property assessed and valued for taxation in said County. The Company shall compile such taxation data and information as shall be of aid and benefit to the Board of Equalization of said County in accomplishing the foregoing.

III.

It is distinctly understood and agreed that it is the paramount intention of the parties hereto, any word, phrase or sentence hereof to the contrary notwithstanding, as follows:

(1) The Commissioners' Court in the execution of this contract does not contemplate the performance by Company of any services or the supplying by Company of any materials, as contemplated or provided by the provisions of the Acts of 1931, 42nd Legislature, Page 383, Chapter 229 (commonly referred to as Article 726a, Vernon's Annotated Civil Statutes), nor as contemplated by the provisions of Article 7335, Revised Civil Statutes of Texas, 1925, nor as contemplated by the provisions of the Acts of 1930, 41st Legislature, 4th Called Session, Page 9, Chapter 8 (commonly referred to as Article 7335a, Vernon's

Annotated Civil Statutes), it being the intention of the parties that no such system as contemplated by any of such legislation is intended hereby and this is, and is found by the Commissioners' Court of Tyler County, Texas, not to be, a contract in connection with the collection of delinquent taxes.

(2) This contract is not intended to be, and shall not be deemed to be, a tax ferret contract, it being the intention of the parties that the Commissioners' Court does not desire to and does not obligate Company, and Company does not desire to and is not obligated, to ferret out, locate, identify or discover any properties to be added to the tax rolls of said County. It is agreed that the only properties to be added to the tax rolls (rendered and unrendered) of said County will be those placed thereon by the Tax Assessor of said County, and that the only properties within the classes of property subject to the terms of this contract which shall be appraised by Company under the terms hereof, shall consist of properties presently appearing on the tax rolls of said County, or hereafter assessed for taxes and placed on said rolls by the Tax Assessor of said County. However, in the event that Company, during the course of the performance of the services provided for hereunder, locates, identifies or discovers any property which is not on the tax rolls, Company agrees to provide the Tax Assessor of said County with the available information relating thereto.

(3) It is not the intention of the parties hereto, and particularly not the intention of the Commissioners' Court of Tyler County, Texas, to invade or usurp the powers of the Tax Assessor of said County, the Commissioners' Court of said County recognizing that it has no power, authority, or jurisdiction to make assessments of properties for tax purposes.

(4) It is expressly the intention of the Commissioners' Court of Tyler County, Texas, to exercise its powers as such Commissioners' Court and as a Board of Equalization, under the provisions of Articles 7206, 7211 and 7212, Revised Civil Statutes of Texas, as amended, and this contract is made for the purpose of enabling such Commissioners' Court to perform its duties as provided in said Articles, and also to perform its duties under the provisions of Section 1 of Article VIII of the Constitution of the State of Texas, and under the provisions of Section 18 of Article VIII of the Constitution of the State of Texas, pursuant to authority therein contained, as well as authority

contained in the provisions of Section 18 of Article V of the Constitution of the State of Texas.

(5) The Commissioners' Court of Tyler County, Texas, as part of its deliberations in the adoption of this contract, finds that special skill, knowledge and ability and scientific and technical equipment are essential to the performance of the services by Company under the terms of this contract, and that the employment of said Company constitutes the employment of skilled experts in special instances, to assist the Board of Equalization of Tyler County, Texas, in arriving at fair, just, impartial and equal and uniform valuations of properties for tax purposes in said County.

IV.

Company agrees to meet with the Commissioners' Court of Tyler County, Texas, sitting as a Board of Equalization, in due course of the meetings of such Board for the years 1975 and 1976, and to furnish said Board with all appraisals and valuations compiled and prepared by Company under the terms hereof.

V.

For and in consideration of the skilled services, technical knowledge and experience of Company in the performance of the duties hereunder, and in consideration of the information given and assistance furnished to said County in undertaking to value and equalize the values of the said properties properly coming before it for consideration at its equalization hearings in the years 1975 and 1976 County agrees and obligates itself to compensate Company as follows:

For the services herein agreed to be performed, Company shall receive the said sum of Twenty Five Hundred Dollars (\$2500) Dollars per year, for the years 1975 and 1976, to be paid out of the lawful funds of Tyler County, Texas. Said payments to be made upon adjournment of the Board of Equalization in the years 1975 and 1976.

VI.

Said Commissioners' Court hereby specifically contracts and obligates itself to, at any time same may become necessary, pass and enter of record such further order or orders as may be lawful, requisite and necessary to fully authorize and lawfully facilitate the payment of all sums due Company for performance of the services provided for hereunder.

It is distinctly understood and agreed that Company does not undertake to furnish or supply to said Commissioners or said County legal services of any kind or character, and all of such services are expressly excluded from the terms of this contract.

VIII.

Company agrees that said Commissioners and said County will in no way be obligated or indebted to Company, or its agents, servants or employees, for salaries, expenses, materials or other charges, except only as herein specifically otherwise provided.

IX.

Company will supply testimony supporting appraised values supplied the County under the terms hereof in all hearings of the Board of Equalization of Tyler County, Texas, for the years 1975 and 1976, and in the event such values shall be attacked in any Court of competent jurisdiction, Company shall supply testimony supporting the appraised values in any Court of competent jurisdiction with respect to appraisals and valuations supplied the County and attacked in a Court of competent jurisdiction.

X.

It is further distinctly understood and agreed that if any word, phrase, sentence, paragraph or provision of this contract shall be, for any reason, declared or adjudicated to be invalid, such declaration or adjudication shall not affect the validity of the remaining portions hereof.

XI.

The execution of this contract and the payments herein provided for are authorized by proper Resolution and Order, duly adopted by the Commissioners' Court of Tyler County, Texas, and entered upon the Minutes of such Commissioners' Court, a copy of said Resolution and Order being attached to this contract and by reference incorporated herein and made a part hereof.

EXECUTED IN DUPLICATE ORIGINALS by order of the Commissioners' Court of Tyler County, Texas, on the 7th day of May, A.D., 1974.

TYLER COUNTY, TEXAS
Party of the First Part

Tom D. Mann
Tom D. Mann, County Judge

Joe I. Best
Joe I. Best
Commissioner, Precinct No. 1

H. M. Parks
H. M. Parks
Commissioner, Precinct No. 2

Kenneth Belt
Kenneth Belt
Commissioner, Precinct No. 3

James R. Jordan
James R. Jordan
Commissioner, Precinct No. 4

ATTEST:

Allen Sturrock
Allen Sturrock
County Clerk, Tyler County

TRUETT F. PRITCHARD & ASSOCIATES, INC.
Party of the Second Part

Truett F. Pritchard
Truett F. Pritchard, President

