

FILED FOR RECORD 12-17- 1979 at 11:00 o'clock A M
DULY RECORDED 12-18- 1979 at 9:07 o'clock A M
INSTRUMENT NO. _____ GRACE BOSTICK, TYLER CO. CLK.

Grace Bostick

TYLER COUNTY COMMISSIONER'S COURT
REGULAR MEETING
DECEMBER 10, 1979

Vol. 5 Pg. 569

A Regular Meeting of the Commissioner's Court, met on Monday December 10, 1979 at 10:00 A.M. All members being present. The meeting opened with prayer by County Treasurer Austin Fuller.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to approve the monthly report of County Treasurer Austin Fuller, as submitted. All voted yes and none no. See attached.

A motion was made by Commissioner Fowler and seconded by Commissioner Odom to approve the monthly report, as submitted by the County Extension Office. All voted yes and none no.

A motion was made by Commissioner Odom and seconded by Commissioner Fowler to accept Plan 1 on the amendment on Retirement System, for the County. This was reviewed and recommended by County Treasurer, Austin Fuller. This will increase the benefits with a better plan. All voted yes and none no. See attached amendment.

A motion was made by Commissioner Riley and seconded by Commissioner Odom to accept the road to the Warren Water Supply Corporation plant site, to be maintained by the County. All voted yes and none no. Attached is a Plat, and description of property and right-of way easement, and a letter with signatures of Board of Directors is attached. This is in Prec. #1.

Commissioner Fowler made a motion which was seconded by Commissioner Riley to advertise for Bids to sell a 1966 stripped down Chevrolet Truck. Bids will be opened Jan. 14, 1980 at the Commissioner's Regular Meeting, at 10:00 A.M. This truck may be seen at the Barn of Prec. #III. All voted yes and none no.

A motion was made by Commissioner Odom and seconded by Commissioner Lowe to advertise for Bids on construction of Lake Hyatt Bridge, in Pct. #IV. On Friday December 14, 1979 at 10:00 A.M., the date will be set for opening Bids. All voted yes and none no.

The Commissioners Court did consider the request of Sheriff Lewis Craven, for more storage space, but tabled it for this time.

A motion was made by Commissioner Lowe and seconded by Commissioner Fowler to approve the assessment roll of 1979 as submitted by County Tax-Assessor-Collector, Barbara Tolbert. A discussion on the 1980 Tax Roll to be serviced by Western Data. Commissioner Riley made a motion which was seconded by Commissioner Odom, to table this until Friday Dec. 14, 1979. All voted yes and none no.

There being no further business, the meeting adjourned.

SIGNED: Allen Sturrock Allen Sturrock, County Judge

Maxie Riley Maxie Riley, Comm. Pct. #1

H.K. Lowe H.K. Lowe, Comm. Pct. #2

Leon Fowler Leon Fowler, Comm. Pct. #3

Berton Adnell Odom Berton Adnell Odom, Comm. Pct. #4

ATTEST: Grace Bostick Grace Bostick, County Clerk



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COUNTY TREASURER'S REPORT

FOR THE PERIOD ENDING

NOVEMBER, 1979

ON

RECEIPTS, DISBURSEMENTS AND CASH BALANCES

AUSTIN C. FULLER, COUNTY TREASURER

BALANCES, RECEIPTS AND DISBURSEMENTS

All Funds

Vol. 5 P. 571

AUSTIN FULLER

Month Of November, 1979

COUNTY TREASURER

FUND	Cash On Hand 10-31-79	Receipts Present Month	Transfers In (Out)	Disbursements Current	Cash On Hand 11-30-79	Certificates of Deposit	Available Resources 11-30-79
General	(39949.98)	240931.39	-0-	235431.12	(34449.71)	157817.21	123367.50
Solid Waste	2356.68	57.68	-0-	-0-	2414.36	-0-	2414.36
C & J-Permanent Improvements	1486.58	45.83	-0-	1425.00	107.41	1200.00	1307.41
Library	6644.45	65.00	-0-	6650.00	59.45	6650.00	6709.45
Capital Improvements	(72690.77)	98099.15	-0-	8200.37	17208.01	-0-	17208.01
County Attorney Check Fees	65.00	70.00	-0-	33.95	101.05	-0-	101.05
District Attorney Check Fees	75.00	-0-	-0-	-0-	75.00	-0-	75.00
Engineers Traffic Study	-0-	1600.00	-0-	-0-	1600.00	-0-	1600.00
General R & B #2	-0-	10129.52	(10129.52)	-0-	-0-	-0-	-0-
R & B #1	(68.81)	34503.55	1256.06	28315.97	7374.83	18456.00	25830.83
R & B #2	3708.67	34509.74	2193.04	31695.76	8715.69	23312.00	32027.69
R & B #3	(4615.57)	62129.69	3347.80	42081.02	18780.90	30351.00	49131.90
R & B #4	1388.20	71136.73	3332.62	50040.34	25817.21	9005.00	34822.21
County Wide ROW	45808.26	10490.95	-0-	54642.24	1656.97	50351.24	52008.21
General ROW I & S	1107.13	10349.32	-0-	11000.00	456.45	11000.00	11456.45
ROW #1	-0-	-0-	-0-	-0-	-0-	-0-	-0-
ROW #2	314.25	-0-	-0-	-0-	314.25	-0-	314.25
ROW #3	-0-	-0-	-0-	-0-	-0-	-0-	-0-
ROW #4	6321.79	-0-	-0-	5321.79	1000.00	5321.79	6321.79
Employees Savings	3154.70	388.00	-0-	50.00	3492.70	-0-	3492.70
Airport Maintenance	290.32	8.53	-0-	-0-	298.85	-0-	298.85
Anti-Recession Fiscal Assist.	19.14	-0-	-0-	-0-	19.14	-0-	19.14
State Cost No. 1	357.50	330.00	-0-	-0-	687.50	-0-	687.50
State Cost No. 2	282.00	115.00	-0-	-0-	397.00	-0-	397.00
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BALANCES, RECEIPTS AND DISBURSEMENTS

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All Funds

AUSTIN FULLER

Month Of November, 1979

COUNTY TREASURER

Cont.-	FUND	Cash On Hand 10-31-79	Receipts Present Month	Transfers In (Out)	Disbursements Current	Cash On Hand 11-30-79	Certifi- cates of Deposit	Available Resources 11-30-79
	Undivided	23434.00	-0-	-0-	-0-	23434.00	-0-	23434.00
	State CVC	10.00	-0-	-0-	9.50	.50	-0-	.50
	Totals for all Funds	(20501.46)	574960.08	-0-	474897.06	79561.56	313464.24	393025.80
	Bank Statement Balance							84920.57
	Less Outstanding Checks							(5359.01)
	Total Cash In Bank							79561.56
	Indebtedness:							
	Solid Waste							15337.50
	Solid Waste							32749.50
	C & J-Permanent Improve.							10000.00
	R & B #1-Ford Truck							16487.00
	R & B #1-John Deere Tractor							28891.00
	R & B #1-Motor Grader							5000.00
	R & B #1-GMC Truck							3112.10
	R & B #1-Motor Grader							9000.00
	R & B #2-GMC Truck							2745.50
	R & B #2-Ford Truck							3183.34
	R & B #2-Backhoe							23094.33
	R & B #3-Front End Loader							11500.00
	R & B #3-Motor Grader							25884.67
	R & B #3-Chevrolet Truck							15000.00
	Continued next page--							

BALANCES, RECEIPTS AND DISBURSEMENTS

All Funds

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AUSTIN FULLER

Month Of November, 1979

COUNTY TREASURER

FUND	Cash On Hand 10-31-79	Receipts Present Month	Transfers In (Out)	Disbursements Current	Cash On Hand 11-30-79	Certifi- cates of Deposit	Available Resources 11-30-79
Indebtedness Cont.-							
R & B #4-Crawler Loader							37775.00
R & B #4-Turkey Creek Bridge							25526.65
Total Indebtedness							265286.59
Tyler County Retirement	2.15	7676.20	-0-	7676.20	2.15	-0-	2.15
Bank Statement Balance	(No Outstanding Checks)						2.15
Total Cash In Bank							2.15
Tyler County Payroll	16102.93	60348.12	-0-		15869.27	-0-	15869.27
General				42592.88			
Solid Waste-General				1132.70			
R & B #1				2730.51			
R & B #2				3467.52			
R & B #3				4713.51			
R & B #4				5919.66			
County Attorney Check Fees				25.00			
Totals for Payroll	16102.93	60348.12	-0-	60581.78	15869.27	-0-	15869.27
Bank Statement Balance							34340.30
Less Outstanding Checks							(18471.03)
Total Cash In Bank							15869.27

BALANCES, RECEIPTS AND DISBURSEMENTS

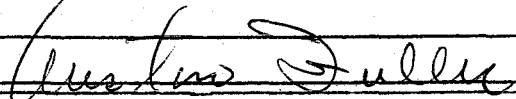
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All Funds

AUSTIN FULLER

Month Of November, 1979

COUNTY TREASURER

FUNO	Cash On Hand 10-31-79	Receipts Present Month	Transfers In (Out)	Disburse- ments Current	Cash On Hand 11-30-79	Certifi- cates of Deposit	Available Resources 11-30-79
Social Security Fund	582.52	7385.42	-0-	7935.00	32.94	7935.00	7967.94
Bank Statement Balance	(No Outstanding Checks)						32.94
Total Cash In Bank							32.94
1977 HUD Grant	5001.00	-0-	-0-	-0-	5001.00	-0-	5001.00
Bank Statement Balance	(No Activity in Account In November, 1979)						5001.00
Revenue Sharing Fund	20249.79	73232.55	-0-		25230.58	47702.83	72933.41
Jail Fund				166.95			
Solid Waste				-0-			
R & B #1				5000.00			
R & B #2				10712.98			
R & B #3				-0-			
R & B #4				-0-			
General				4669.00			
Certificates of Deposit				47702.83			
Revenue Sharing Totals	20249.79	73232.55	-0-	68251.76	25230.58	47702.83	72933.41
Bank Statement Balance	(No Outstanding Checks)						25230.58
Total Cash In Bank							25230.58
 Austin Fuller, County Treasurer							

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WITNESS OUR HANDS, officially, this

10th

day of

December

A.D., 1979.

Allen Sturrock

County Judge

Maxie L. Riley

Commissioner Pct. #1

H K Lowe

Commissioner Pct. #2

Leon Fowler

Commissioner Pct. #3

Berton A Odom

Commissioner Pct. #4

SWORN TO AND SUBSCRIBED before me, by Allen Sturrock, County Judge, and Maxie L. Riley, Comm. Pct. #1, Kenneth Lowe, Comm. Pct. #2, Leon Fowler, Comm. Pct. #3, and Berton A Odom, Comm. Pct. #4, County Commissioners of Tyler County, Texas, each respectively, on this

10th

day of

December

A.D., 1979.



Allen Sturrock

Tyler County Clerk

By: *Grace Bostick*

Deputy

SUGGESTED FORM OF COMMISSIONER'S COURT ORDER
SELECTING INCREASES IN BENEFITS THERETOFORE
GRANTED, CREDITS FOR FUTURE RETIREMENTS OR
ADDITIONAL COVERAGES ALLOWABLE UNDER SUBSEC-
TION 11 OF SECTION VI.

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THE STATE OF TEXAS Ø

COUNTY OF Tyler Ø

On this the 10th. day of December , 19 79 ,
the Commissioners Court of Tyler County, Texas, was
convened in Regular session at a Fourth

Term of said Court, with the following members present, to wit:

- Allen Sturrock , County Judge
- Maxie Riley , Commissioner, Precinct No. 1
- Kenneth Lowe , Commissioner, Precinct No. 2
- Leon Fowler , Commissioner, Precinct No. 3
- Berton Adnell Odom , Commissioner, Precinct No. 4
- Grace Bostick , County Clerk;

and at such session, among other proceedings, the following order
was passed;

"WHEREAS, by virtue of an order of the Commissioners Court of
 Tyler County, Texas, adopted on the 24th. day of
 January , 19 75 , said County became a participating
subdivision in the Texas County and District Retirement System;
and

"WHEREAS, the Actuary for said System has determined and
certified that the increases in benefits, credits and additional
coverages hereinbelow selected, can be amortized by the County
within the time and under the terms prescribed by Subsection 11,
Section VI of Article 6228g, Vernon's Texas Civil Statutes, as
amended; it is accordingly,

"ORDERED BY THE COMMISSIONERS COURT OF Tyler
COUNTY, TEXAS:

- "1. Effective January 1, 1980:

"(a) Allocated (Special) Prior Service Credits heretofore allowed by said County and now in effect shall be increased from the present 100 % of the Maximum (Special) Prior Service Credit of each member affected to 130 % of said amount.

"(b) Credit for Current Service allowable to TCDRS members for service performed for said County shall be increased from the present factor of 100 % of the deposits of each member (1.0 :1 matching ratio) to a factor of 160 % (1.00 :1 matching ratio) of said amount.

"(c) Monthly payments as to annuities for prior service arising from prior service credits allowed by said County and in effect December 31, 1979 shall be increased as to payments for January, 1980 and thereafter by 30 % of the monthly benefit paid to such annuitant for the month of December, 1979 (excluding any amounts paid as distributive benefits).

"(d) Annuities for current service attributable to said subdivision and in effect December 31, 1979, shall be increased as to monthly benefits payable for January, 1980 and thereafter by 30 % of the monthly benefit paid to such annuitant for the month of December, 1979 (excluding any amounts paid as distributive benefits).

"2. Any person who is a TCDRS member of this County on or after January 1, 1980 and who shall have accumulated twenty (20) or more years of creditable service, or who shall have accumulated twelve (12) or more years of creditable service and has attained the age of sixty (60) shall have the right of "deferred service retirement" under the terms and conditions prescribed in Subsection 11 of Section VI of Article 6228g, Vernon's Texas Civil Statutes as amended.

"3. Any person who is a TCDRS member of this County on or after January 1, 1980, and who has accumulated at least twelve (12) years of creditable service with this and other participating subdivisions which have adopted twelve-year vesting, shall have the right, despite withdrawal from service prior to attainment of age sixty (60), to remain a member and to retire at or after age sixty (60), conditioned that he lives to date of retirement and that he shall not have withdrawn his accumulated deposits with the System.

"4. Prior service credit (not exceeding 36 months total) shall be, and is hereby allowed (effective January 1, 1980) for active service in the armed forces of the United States performed by a TCDRS member of this County under the following conditions, viz.:

"(a) Such service was performed prior to date of the County's participation in Texas County and District Retirement System.

"(b) Such service was performed during a time that the United States was involved in organized conflict with foreign forces, whether in a formal state of war or police action;

"(c) Such person was an employee of said County immediately prior to the beginning of such service in the armed forces, entered such military service without intervening employment, and returned to employment of said County within one hundred eighty (180) days following his discharge or release from active duty with the armed forces; and

"(d) Such person has not heretofore been allowed credit for any part of such military service."

"5. Any person who is a TCDRS member of this County on or after January 1, 1980, and who was a member of the military service of the United States during the period from April 6, 1917 to November 11, 1919, or from October 16, 1940 to October 31, 1974, and who otherwise qualifies under the requirements of paragraph (d)(9) of Subsection 11, Section VI of Article 6228g, Vernon's

Texas Civil Statutes, shall be granted current service credit for each month of such military service (not exceeding the limits prescribed in said Act) for which such member makes application and makes deposits within the time and manner as required by said Act. Any prior service allowed such member pursuant to paragraph 4, above, of this order shall be included in determining the maximum credit which may be allowed such member for military service.

The above order being read, it was moved and seconded that the same do pass and be adopted. Thereupon, the question being called for, the following members voted Aye: Allen Sturrock, Maxie Riley, Kenneth Lowe, Leon Fowler, Berton Adnell Odom; and the following voted No: None.

Witness our hands officially this 10 day of December, 1979.

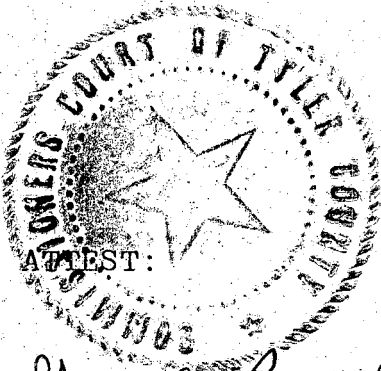
Allen Sturrock
County Judge

Maxie Riley
Commissioner, Precinct No. 1

H. K. Lowe
Commissioner, Precinct No. 2

Leon Fowler
Commissioner, Precinct No. 3

Berton Adnell Odom
Commissioner, Precinct No. 4



Israel Beatie
County Clerk and Ex-Officio
Clerk of the Commissioners
Court, Tyler
County, Texas

Vol. 5 P. 580

November 12, 1979

Maxie Riley
Commissioner, Precinct I
Tyler County, Texas

Dear Mr. Riley:

In regards to our conversation about the road to the Warren Water Supply Corporation plant site, you will find enclosed a plat and description of property and right-of-way easement. This letter with signatures of the Board of Directors give permission for road to be maintained by the County.

Sincerely,

D. C. Nichols

D. C. Nichols, President
Warren Water Supply Corporation

Harold T. Davis
Alvin Gonzales
Theodore Brunelle
Joe B. Woodland

Vol. 5 Pg. 581

PRELIMINARY TITLE OPINION

LOAN APPLICANT Warren Water Supply Corporation	ADDRESS OF FARM Warren, Texas	
APPLICANT FOR TITLE EXAMINATION Warren Water Supply	COUNTY Tyler	STATE Texas

I At the request of the above-named applicant for title examination, I, an attorney at law duly authorized to practice and practicing in the above County and State, have examined title to the real property described in attached Schedule A and, if the security includes a water right, to the water right described in attached Schedule B (such real property or water right, or both, herein referred to as "the property"), offered as security in connection with a loan to be made or insured by the United States of America, acting through the Farmers Home Administration.

II My examination covered the period from August 14, 1984 to August 28, 1968
at 8 A. M. o'clock.

III Based on said examination and any additional information concerning the title which has come to my attention, it is my opinion that title to the property, subject only to the encumbrances, reservations, exceptions, defects, and the provisions of any security instrument authorizing future advances which would have priority over the proposed Farmers Home Administration security instrument, set forth at the end of the description, is vested in the following party or parties:

Warren Water Supply Corporation

IV In order to vest good and marketable title to the property in the loan applicant or in the loan applicant and spouse as required or permitted by the Farmers Home Administration, subject only to the encumbrances, exceptions, and reservations which under any attached authorization from the Farmers Home Administration may remain outstanding, the following satisfactions, releases, payments, quitclaim deeds, warranty deeds, or affidavits or other conveyances or curative instruments, must be obtained and, unless otherwise indicated, recorded:

None

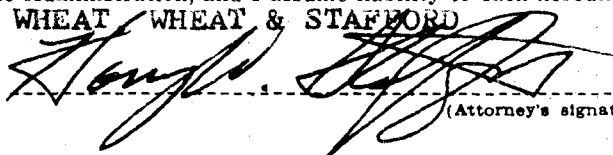
V The names of the parties, in addition to the loan applicant, who must execute the security instrument in order to give the Farmers Home Administration a lien free and clear of dower, curtesy and homestead rights, are

None

VI I will assist in closing the loan and promptly render a supplemental opinion covering the interval from the terminal date of the search covered by this Opinion to the time when the real estate security instrument and any other necessary instruments executed in connection with the loan are filed for record.

VII I have made the title examination, and issue this Opinion, in accordance with the requirements on the reverse of this sheet. This Opinion is issued expressly for the benefit of the above-named applicant for title examination and the United States of America, acting through the Farmers Home Administration, and I assume liability to each hereunder.

August 29, 1968
(Date)

WHEAT WHEAT & STAFFORD

(Attorney's signature)

P. O. Box 156, Woodville, Texas
(Address)

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2.00 acres of land, more or less out of the William Pitts Survey, Abstract 804, Tyler County, Texas, and being a part of the first tract described in conveyance from Ralph Glen, et ux to R.L. Job, et ux, by deed dated January 13, 1962, recorded in Volume 193, page 139 of the Deed Records of Tyler County, Texas, said 2.00 acres described as follows:

BEGINNING at the Northwest corner of the above referred to first tract, a concrete monument for corner;

THENCE South $01^{\circ} 39'$ East 310.00 feet with the West line of said tract to a concrete monument for corner;

THENCE South $66^{\circ} 47'$ East 257.00 feet to a concrete monument for corner;

THENCE North $18^{\circ} 16'$ East 282.30 feet to a concrete monument for corner in the North line of the said R.L. Job first tract;

THENCE North $66^{\circ} 47'$ West 363.00 feet with the North line of said tract to the place of BEGINNING.

SUBJECT to reservation of 1/64th royalty interest reserved in deed from Tom Dies to C. E. Goolsbee dated 6-19-29, recorded in Volume 64, Page 427, Deed Records of Tyler County, Texas.

SUBJECT to reservation of all oil, gas and other minerals for a ten (10) year period made by First National Bank of Houston in the deed to Warren Lumber Company dated 5-28-18, recorded in Volume 42, Page 433, Deed Records of Tyler County, Texas, which reservation, in the opinion of this writer, has expired for lack of production.

SUBJECT to encroachment shown by plat attached hereto and made a part hereof.

There is also included herewith an easement for road purposes being a 40 foot easement lying and being 20 feet either side of the following described center line:

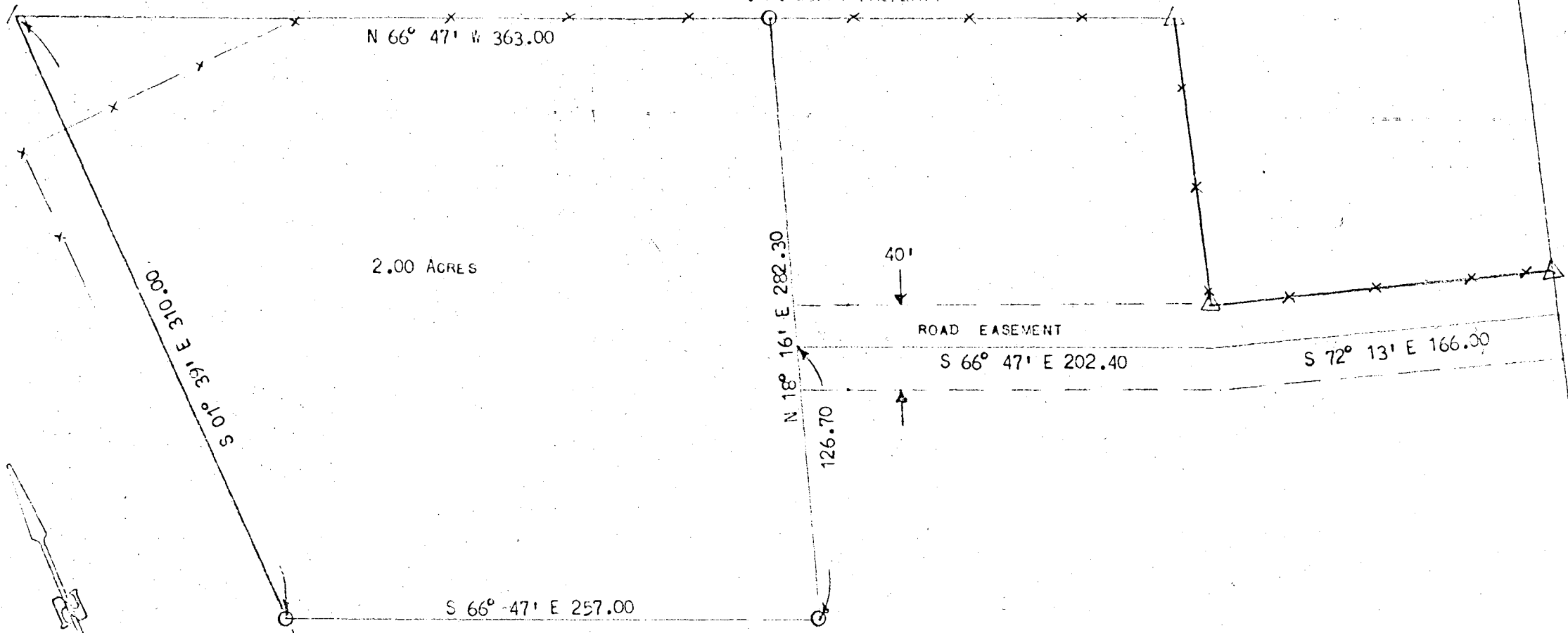
BEGINNING in the East line of the above described tract, at a point North $18^{\circ} 16'$ East 126.70 feet from the Southeast corner of same:

THENCE South $66^{\circ} 47'$ East 202.40 feet to a point, said point being 20.0 feet South $15^{\circ} 38'$ West from the Easterly Southwest corner of the A. F. Duffy tract;

THENCE South $72^{\circ} 13'$ East 166.00 feet, 20.0 feet South of and parallel to the Easterly South line of said Duffy Tract, to a point in the West right of way of U. S. Highway No. 69.

201.579.583

A. F. DUFFY PROPERTY



2.00 ACRES

ROAD EASEMENT

40'

S 66° 47' E 202.40

S 72° 13' E 166.00

N 18° 16' E 282.30

126.70

N 66° 47' W 363.00

S 66° 47' E 257.00

S 01° 39' E 310.00

U. S. HIGHWAY No. 69

I, J. D. MAYBERRY, REGISTERED PUBLIC SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE PLAT TRULY REFLECTS A PORTION OF THE R. L. JOB 6.13 ACRE TRACT IN ABSTRACT 804, WILLIAM PITTS SURVEY, TYLER COUNTY, TEXAS, AS SURVEYED AND MONUMENTED ON THE GROUND NOVEMBER 1, 1967.

THERE ARE NO VISIBLE ENCROACHMENTS, EXCEPT AS DELINEATED HEREON, AS OF THE DATE OF THIS SURVEY.

1" = 60'

○ = CONCRETE MON.

△ = IRON STAKE

—x— = FENCE

D. MAYBERRY & ASSOC.
JASPER, TEXAS

J. D. MAYBERRY, REGISTERED
PUBLIC SURVEYOR No. 75

6. D. MAYBERRY
70


NOTICE OF TIME AND PLACE OF MEETING
COMMISSIONER'S COURT
TYLER COUNTY, TEXAS

THIS NOTICE POSTED IN ACCORDANCE WITH V. A. T. S. _ Art. 6252-17

Notice is hereby given that Commissioners Court will hold it's regular meeting on Monday DECEMBER 10, 1979 at 10:00 A. M. in the Commissioners Courtroom, First Floor, Tyler County Courthouse.

A G E N D A
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1. APPROVE COUNTY TREASURERS MONTHLY REPORT.
- X 2. APPROVE COUNTY EXTENSION MONTHLY REPORT.
- X 3. DISCUSS AMENDMENT ON RETIREMENT SYSTEM.
- X 4. APPROVE ROAD IN PRECINCT I.(Warren)
5. ADVERTISE FOR BIDS ON 1966 TRUCK FROM PRECINCT III.
6. ADVERTISE FOR BIDS ON CONSTRUCTION OF LAKE HYATT BRIDGE IN PRECINCT IV.
7. LEWIS CRAVENS ON STORAGE SPACE.
8. BARBARA TOLBERT-APPROVE 1979 TAX ROLL AND DISCUSS TAX ROLL FOR 1980.


Allen Sturrock, County Judge
Tyler County, Texas

NO. _____ TIME: 9:15 

DEC 07 1979

GRACE BOSTICK, COUNTY CLERK
TYLER COUNTY, TEXAS
BY: 