

FILED FOR RECORD: 5-17 19 83 at 9:45 o'clock A M  
DULY RECORDED: 5-19 19 83 at 9:00 o'clock A M  
INSTRUMENT NO. \_\_\_\_\_ GRACE BOSTICK TYLER CO. CLK.  
BY: Jean Phillips Deputy  
JEAN PHILLIPS

TYLER COUNTY COMMISSIONER'S COURT  
REGULAR MEETING  
MAY 9, 1983

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The Regular Meeting of the Commissioner's Court met on Monday, May 9, 1983 at 10:00 A. M. All members being present except Commissioner Berton A. Odom. The meeting was opened with prayer by County Judge Allen Sturrock.

Judge Sturrock welcomed Judge Earl "Smokey" Stover, newly appointed District Judge of the 88th Judicial District, replacing Judge Clyde E. Smith, Jr., who retired this year. Judge Stover gave a brief address to the Court at this time.

RECESSED FOR TEN MINUTES-----IN SESSION

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to table the County Treasurer's monthly report until later in the regular meeting. All voted yes and none no. Later in the meeting, a motion was made by Commissioner Lowe and seconded by Commissioner Mahan to table the County Treasurer's monthly report, as submitted by County Treasurer Austin Fuller, until Tuesday, May 17, 1983 at 10:00 A. M. for further discussion. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to table the County Extension monthly report until Tuesday, May 17, 1983, at 10:00 A. M. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to accept the plat for Lake Tristan, Section I, Ivanhoe Subdivision, as submitted by Jim C. Rawson, President of Timberlakes Development Company. This is for filing purposes only. All voted yes and none no. See Attached.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to change the Special Meeting scheduled for Friday, May 13, 1983, to Tuesday, May 17, 1983, at 10:00 A. M. All voted yes and none no.

A motion was made by Commissioner Lowe and seconded by Commissioner Riley to accept an easement of a road Right of Way in Precinct 1, from Champion International Paper Corp. All voted yes and none no. See Attached.

A motion was made by Commissioner Mahan and seconded by Commissioner Lowe to approve a request by Wanda Brasher, Justice of the Peace #1, to attend convention in Beaumont on June 2, 3 and 4, 1983. Additional travel funds in the amount of \$200.00 was approved for this trip. All voted yes and none no. See Attached.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to approve the request of County Tax Assessor-Collector Barbara Tolbert to advertise for bids for a new typewriter and adding machine for the Tax Office. Bids to be opened at Regular Meeting on June 13, 1983, at 10:00 A. M.

RECESSED FOR TEN MINUTES-----IN SESSION

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to rescind the motion to advertise for bids for a new typewriter and adding machine for the Tax Office, but to allow Tax Assessor-Collector Barbara Tolbert to solicit for bids for the new equipment needed. Bids to be opened at Regular Meeting on June 13, 1983, at 10:00 A. M. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to approve amending the budget for the Concerned Citizens Fund, as requested by County Auditor Ann Nichol. An allocation of \$1000.00 extra was given to the fund. All voted yes and none no. See Attached.

A motion was made by Commissioner Lowe and seconded by Commissioner Mahan to approve the County Auditor's monthly report, as submitted by County Auditor Ann Nichol. All voted yes and none no. See Attached.

There being no further business, the meeting adjourned.

SIGNED Allen Sturrock Allen Sturrock, County Judge

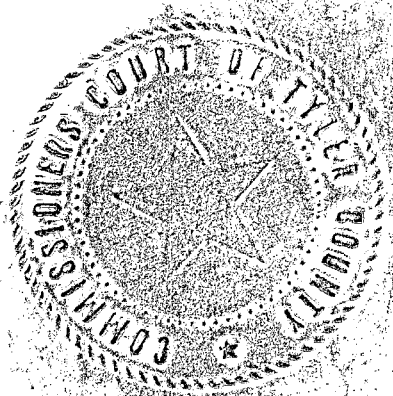
Maxie Riley Maxie Riley, Comm. Pct. #1

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

Jerry Mahan Jerry Mahan, Comm. Pct. #3

Bert A. Odom Berton A. Odom, Comm. Pct. #4

ATTEST Grace Bostick Grace Bostick, County Clerk



PROJECTS  
AMERICAN  
CORPORATION

6124 BEVERLYHILL  
P. O. BOX 36740  
HOUSTON, TEXAS 77236

PHONE (AC 713) 782-0195

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May 3, 1983

Mr. Maxie Riley  
County Commissioner  
Rt. 1, Box 8-A  
Woodville, Texas 75979

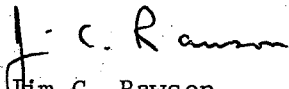
Dear Mr. Riley:

This is to certify that the roads in Lake Tristan Section 1, a subdivision in Ivanhoe Land of Lakes, Tyler County, Texas, will be paved by the end of December, 1983.

Thank you.

Sincerely,

TIMBERLAKES DEVELOPMENT COMPANY

  
Jim C. Rawson  
President

JCR:db

**JOE R. SMITH**  
COUNTY ATTORNEY  
TYLER COUNTY  
WOODVILLE, TEXAS 75979

March 28, 1983

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Mr. Irwin F. Grillot  
Champion International Corp.  
Timberlands Division  
1116 South Magnolia  
Woodville, Texas 75979

RE: DEED

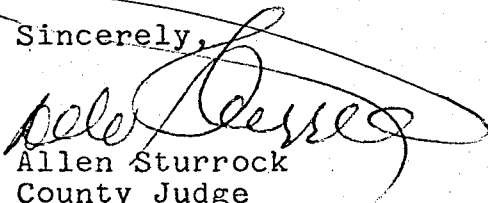
Dear Mr. Grillot:

This is a request for a deed to a certain .53 of one (1) acre of land to the County of Tyler as per the field notes and plat attached.

The County of Tyler does request said RIGHT OF WAY for a County road.

Thank you for your consideration in this matter.

Sincerely,

  
Allen Sturrock  
County Judge  
100 Courthouse  
Woodville, Texas 75979

AS/br

cc: Kenneth Lowe  
Commissioner, Tyler County  
P.O. Box 196  
Chester, Texas 75936

THAT CHAMPION INTERNATIONAL CORPORATION, a New York corporation, hereinafter sometimes referred to as Grantor, with a permit to do business in Texas, for and in consideration of the sum of One and No/100 (\$1.00) dollar to it in hand paid by Tyler County, Texas, hereinafter sometimes referred to as Grantee, acting through the Commissioners Court, receipt of which is acknowledged, have this day sold and by these presents grant, bargain, sell and convey unto Tyler County an easement for road purposes across the Gavigno Araujo League, Abstract Number 3, Tyler County, Texas said tract being described in that deed from W. T. Carter to U. S. Plywood - Champion Papers, Inc. dated June 25, 1968, and recorded in Volume 248 page 385 of the Deed Records of Tyler County, Texas, and which is more fully described and shown in Exhibits A and B and which are made a part of this easement.

This right of way is subject to any easements, rights and interests of others that might exist, and Grantor reserves the right to salvage or remove all the merchantable timber from said right of way.

It is expressly understood and agreed, however, that all of the minerals lying in and under, and that may be produced from said land are hereby reserved unto the Grantor herein, with the right of ingress and egress at all times for the purpose of mining, drilling and exploring said lands for oil, gas and other minerals and removing the same therefrom.

It is further understood and agreed that in the event the easement conveyed by this instrument is for any reason abandoned and not used for road purposes for a period of two (2) years, then in that event, said easement shall terminate and all rights granted and conveyed hereunder shall revert to and become the property of the Grantor herein, its successors and assigns, this conveyance being made for road purposes only.

And it is further agreed that the said Tyler County, Texas, in consideration of the benefits above set out, will remove from the property above described such fences, buildings and other obstructions as may be found upon said property.

Grantee assumes all liability for and agrees to indemnify, defend and hold harmless Grantor against any and all damages or claims for damages of whatsoever nature whether to the person or property of any third party which may be caused, or alleged by any such third party to have been caused, by Grantee, or

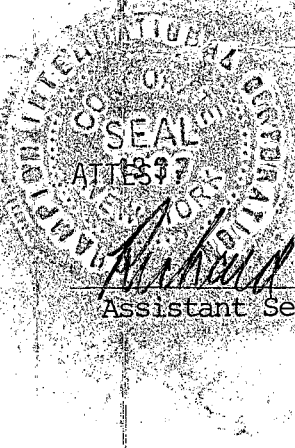
its agents, servants, employees or independent contractors in the course of the exercise by Grantee of any right or claim of right hereunder. The phrase "third party" as herein used shall include but shall not be limited to the agents, servants, employees and independent contractors of Grantor. Grantee also assumes all liability for and agrees to hold Grantor harmless against any and all damages of whatsoever nature to Grantor and persons claiming under Grantor including but not limited to bodily injury, wrongful death or damages to any property, fixtures, equipment, improvements or rights, in all cases where such damage, injury or death has been caused by Grantee, or by any of Grantee's agents, servants, employees, contractors, independent or other, or by any person or persons claiming or holding by, through, or under Grantee.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and hereditaments thereunto in anywise belonging unto the said Tyler County, Texas, and its successors, Champion International Corporation hereby binds itself, its successors and assigns to forever warrant and defend the rights and title to said premises unto the said Tyler County, Texas, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under Grantor and no further.

Witness my hand, this the 18th day of April, 1983.

CHAMPION INTERNATIONAL CORPORATION

By *W.A. Buckfield*  
Executive Vice President



*Michael O. Michael*  
Assistant Secretary

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD

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BEFORE ME, the undersigned authority, on this day personally appeared

William H. Burchfield, Executive Vice President  
of CHAMPION INTERNATIONAL CORPORATION, a corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that same was the act and deed of said corporation for the purposes and consideration therein expressed and in the capacity therein stated.

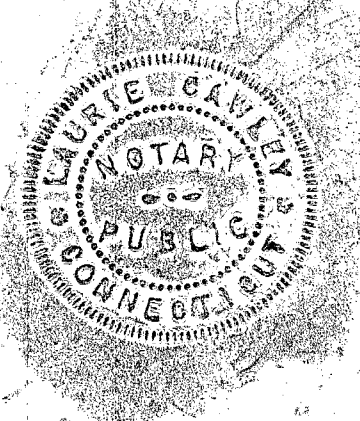
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of

April, 1983.

*Laurie Cawley*

Notary Public in and for Fairfield  
County, Connecticut

**LAURIE CAWLEY**  
NOTARY PUBLIC  
My Commission Expires March 31, 1985



A tract of land located in the Gavigno Araujo Five League Grant, abstract number 3 in Tyler County, Texas, being a portion of the land described as Tract No. 2 in Section C in Exhibit A - Forest Lands in that deed from W. T. Carter and Brother et al to U. S. Plywood - Champion Papers Inc. dated June 25, 1968, and recorded in Volume 248 page 385 of the Deed Records of Tyler County, Texas, and said tract herein described consisting of a strip or parcel of land 50.0 feet in width and located 25.0 feet on each side of a centerline described as follows:

Beginning at a stake set in the southernmost north boundary line of a 1207 acre portion of the said Tract No. 2, said line being also the south boundary line of a 21.7 acre tract of land owned by Ray Barnes and from which stake the southwest corner of the said 21.7 acre tract bears west 473.7 feet and a concrete monument marking the southernmost northwest corner of the said 1207 acre tract and the northeast corner of the D. C. Peters 17 acre tract bears west 25.0 feet.

Thence south 460.0 feet along a line 25.0 feet east of and parallel to the east boundary line of the said D. C. Peters 17 acre tract and the southernmost west boundary line of the said 1207 acre tract to a stake set in the northeast edge of a public road and the point of termination of the centerline herein described.

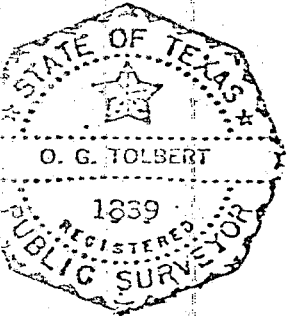
*JMS*



Exhibit B

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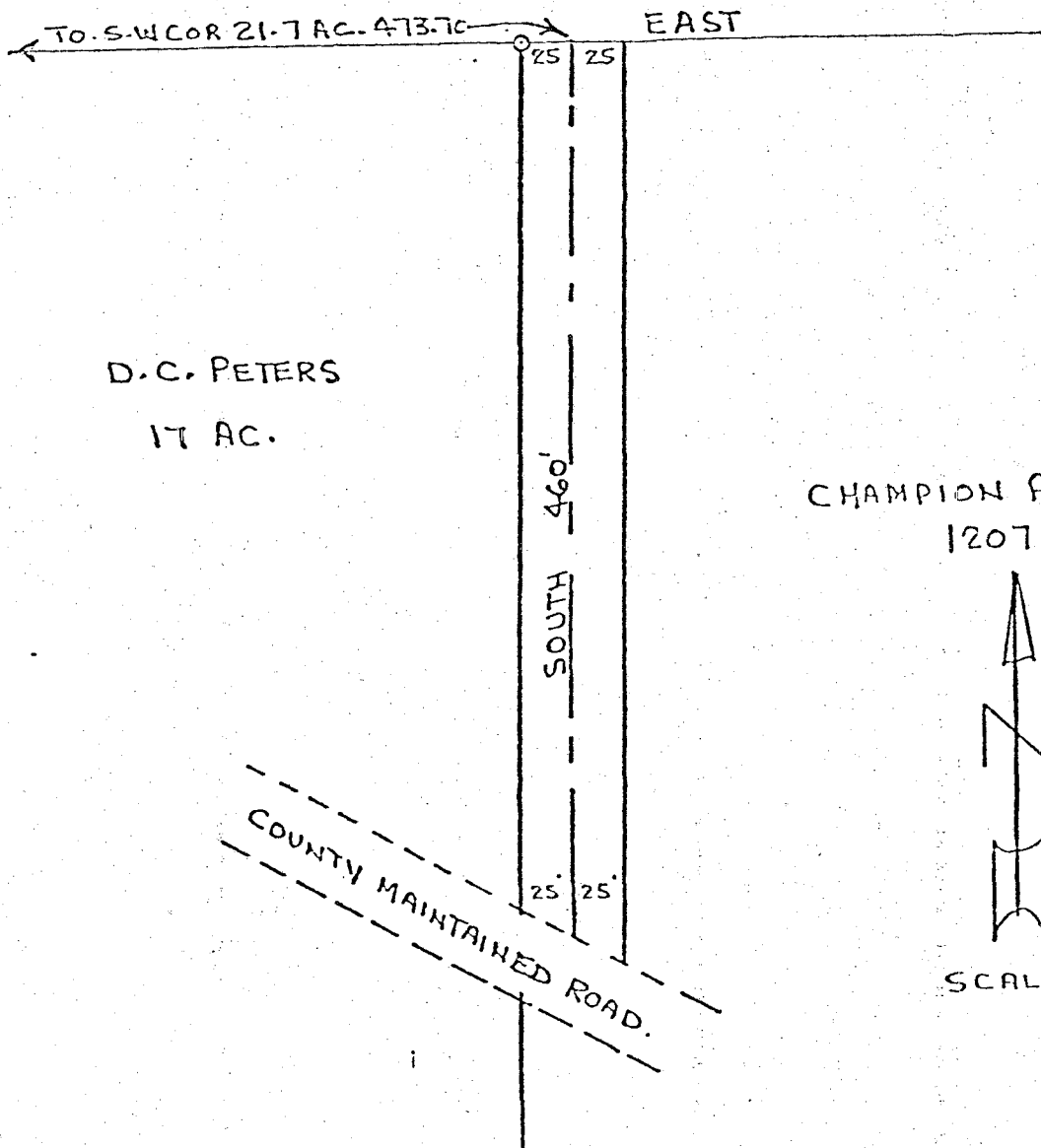
Surveyed November 11, 1982



*O.G. Tolbert*

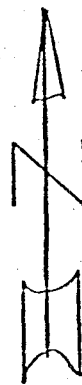
O.G. TOLBERT  
REGISTERED PUBLIC SURVEYOR NO. 1839

21.7 AC.



D.C. PETERS  
17 AC.

CHAMPION PAPER CO.  
1207 AC.



SCALE 1" = 100'

50' ROAD EASEMENT

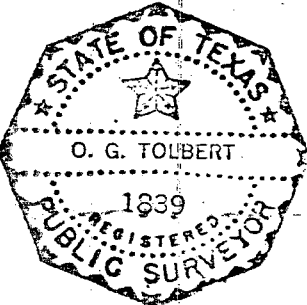
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A Right of Way for Road purposes only, Fifty (50') feet in Width, being Twenty-five (25') feet on each side of the following described centerline over and across a part of the Champion Paper Company, 1207 acre tract, in the Gavigno Araujo League, Abstract, No. 3 Tyler county, Texas

BEGINNING at a point in a North line of the said 1207 acre tract, same being the South line of a 21.7 acre tract, said beginning point bears East 25.00 feet from a 3" Concrete Monument, at a Northwest corner of the said 1207 acre tract, same being the Northeast corner of the D.C. Peters 17 acre tract, said beginning point also bears East 473.70 feet from a 2" Iron Pipe at the Southwest corner of the said 21.7 acre tract.

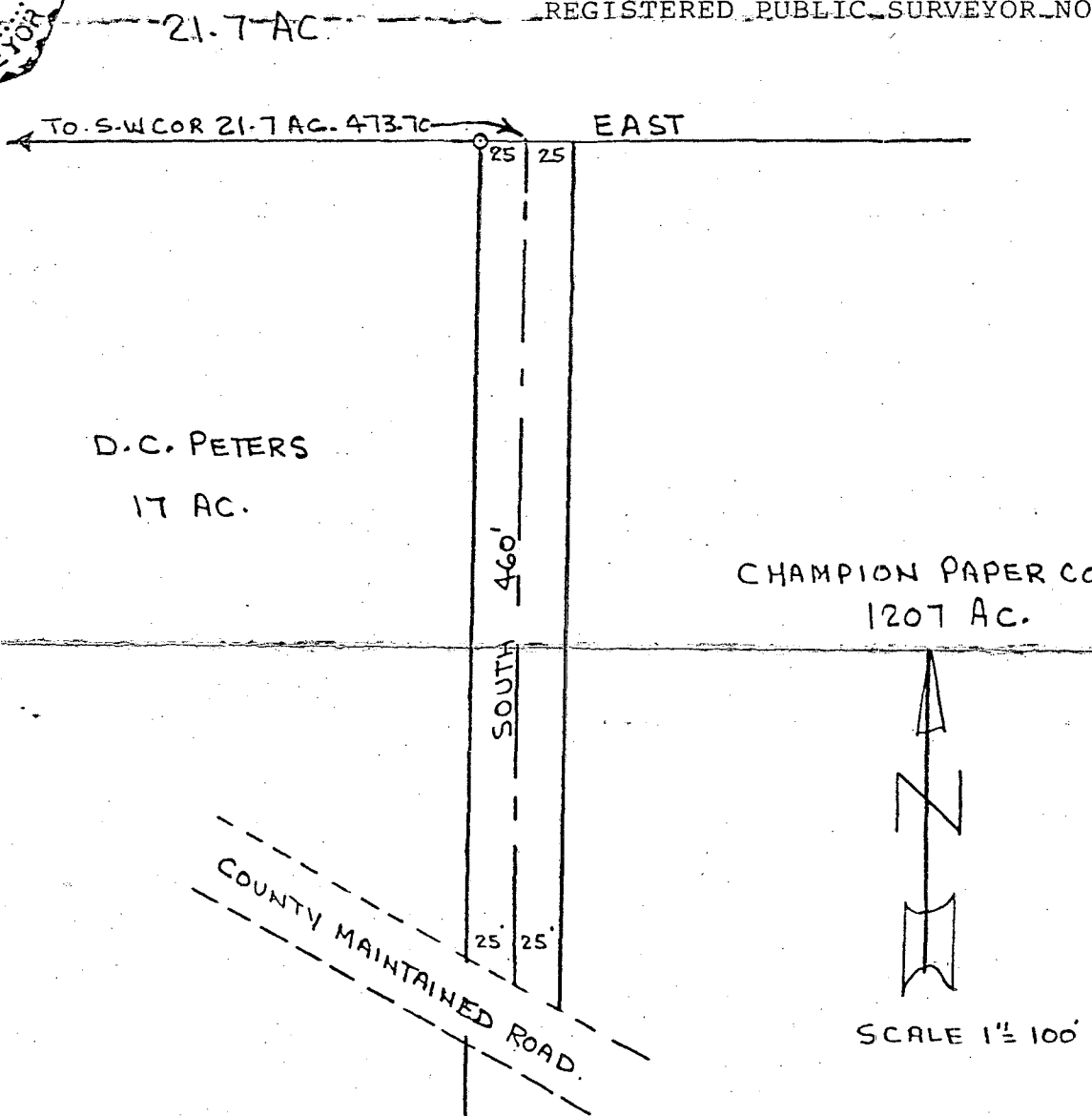
THENCE SOUTH at 460 feet the Terminus of this Right of Way in the Northeast edge of a County Maintained Graded Road, said Right of Way described herein contains 0.53 of a acre of land, more or less.

Surveyed November 11, 1982



*O.G. Tolbert*

O.G. TOLBERT  
REGISTERED PUBLIC SURVEYOR NO. 1839





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**WANDA BRASHER**

JUSTICE OF THE PEACE - PRECINCT 1

TYLER COUNTY

100 COURTHOUSE

ROOM 108

WOODVILLE, TEXAS 75979

(409)283-3631

May 4, 1983

TO THE HONORABLE COMMISSIONERS  
COMMISSIONER'S COURT, TYLER COUNTY

Thank you for granting me permission to attend the one (1) day seminar on speed devices in Beaumont on 5/19/83. I am sure that what I learn will be extremely helpful in the future.

At this time, I would like to ask the Court's permission to be allowed to attend the Justice of the Peace and Constable Association Seminar and Convention in Beaumont from June 2nd. thru June 4th. I feel that it is very important to get involved with this Association for many reasons. There will be learning sessions at this meeting also.

As I only had \$300.00 in my budget for travel, if you allow me to attend this Convention, I will need an additional \$200.00. If granted this, I will not need anymore for the rest of the year. At least, I do not anticipate such.

Also, in August, there is a three (3) day school on Juvenile Laws that I would like to attend. The State pays for this and I would be allowed to travel with the Juvenile Department representatives from here at no extra costs. There will be a \$35.00 registration fee, but the \$200.00 that I asked for above includes this cost. So far, I have handled several juveniles as well as presided over one Detention Hearing. It is extremely important for at least one Justice of the Peace to understand these laws to the fullest.

If the Honorable Court will be so kind as to grant me the requested permissions, I will be grateful and I truly feel that both of these Seminars are vital.

Respectfully submitted,

A handwritten signature in cursive script that reads "Wanda Brasher".

Wanda Brasher

Justice of the Peace #1  
Tyler County

The school on Juvenile Laws will be held in San Marcos.

TYLER COUNTY, TEXAS

BUDGET AMENDMENT REQUEST

5-9-83  
(Date)

FUND General

DEPARTMENT J.P.I.

ADDITIONAL REVENUE REQUIRED:  
\$ 200.00

Line Item	From	To	Increase (Decrease)
<u>Training &amp; Educ.</u>	<u>\$ 300.00</u>	<u>\$ 500.00</u>	<u>\$ 200.00</u>
<u>End of Year Cash Bal.</u>	<u>37,975.00</u>	<u>37,775.00</u>	<u>&lt;200.00&gt;</u>

In compliance with Article 1666, Revised Civil Statutes of Texas, as shown below, I am requesting amendments to the Tyler County Budget as described.

Article 1666 - "The auditor shall prepare an estimate of all the revenues and expenses, and annually submit it to the Commissioners Court, which Court shall carefully make a budget of all appropriations to be set aside for the various expenses of the county government in each branch and department. He shall open an account with each appropriation in said budget, and all warrants drawn against same shall be entered to said account. He shall carefully keep an oversight of same to see that the expenses of any department do not exceed said budget appropriation, and keep said court advised of the condition of said appropriation accounts from time to time."

See Opinion No. #-499.

Ann Nichol  
Ann Nichol  
Tyler County Auditor

Per C.C. Meeting 5-9-83

TYLER COUNTY, TEXAS

BUDGET AMENDMENT REQUEST

5-9-83

(Date)

FUND Gen

DEPARTMENT \_\_\_\_\_

ADDITIONAL REVENUE REQUIRED:

1000.00

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Line Item	From	To	Increase (Decrease)
<u>Concerned Cit.</u>	<u>1000.00</u>	<u>2000.00</u>	<u>1000.00</u>
<u>Cash Bal.</u>	<u>37975.00</u>	<u>36975.00</u>	<u>&lt;1000.00&gt;</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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See Opinion No. #-499.

Ann Nichol  
Ann Nichol  
Tyler County Auditor

COUNTY AUDITORS MONTHLY REPORT  
STATEMENT OF REVENUE, EXPENDITURES & CASH BALANCES  
FOR THE MONTH OF APRIL 1983

Fund	Cash Balance	Total Revenue	Transfers		Personel Expenditures	Capital Exp./ Operating Expenditures	Indebtedness	Cash Balance
			In	Out				
<b>OPERATING FUNDS:</b>								
General Fund.....	\$212,174.74	\$482,471.33	\$ 2,666.00	\$ 90,181.24	\$ 69,280.56	\$22,472.01	\$.....	\$ 515,378.26
Road & Bridge I.....	77,849.71	309.19	40,454.76	.....	9,567.92	14,227.18	.....	94,818.56
Road & Bridge II.....	97,655.67	299.75	34,139.71	.....	7,293.73	5,255.21	.....	119,546.19
Road & Bridge III.....	51,463.52	339.39	47,695.57	.....	10,848.50	17,304.98	4,542.00	66,803.00
Road & Bridge IV.....	100,953.33	454.79	43,216.73	.....	12,294.23	6,036.59	.....	126,294.03
General Road & Bridge.....	.....	121,357.96	43,967.57	165,325.53	.....	.....	.....	.....
<b>SPECIAL REVENUE FUNDS:</b>								
Library Fund.....	13,233.23	130.00	.....	.....	.....	23.28	.....	13,339.95
Revenue Sharing, General.....	38,150.31	.....	.....	.....	233.68	22.90	.....	37,893.73
Revenue Sharing, Pct. I.....	( 3,181.81)	.....	.....	.....	.....	.....	14,165.20	( 17,347.01)
Revenue Sharing, Pct. II.....	6,990.94	.....	.....	.....	.....	.....	15,995.00	( 9,004.06)
Revenue Sharing, Pct. III.....	9,114.06	.....	.....	.....	.....	.....	25,181.00	( 16,066.94)
Revenue Sharing, Pct. IV.....	20,639.20	.....	.....	.....	.....	.....	14,130.00	6,509.20
Revenue Sharing, Solid Waste.....	1,315.81	.....	.....	.....	2,385.29	376.92	.....	( 1,446.40)
<b>CAPITOL PROJECTS FUNDS:</b>								
Capitol Improvements fund.....	94,075.77	.....	.....	.....	.....	527.00	.....	93,548.77
County Wide Right-of-Way.....	( 45,125.10)	.....	90,000.00	.....	.....	31.50	.....	44,843.40
<b>DEBT SERVICE FUNDS:</b>								
Solid Waste.....	4,056.53	96.15	.....	.....	.....	.....	.....	4,152.68
<b>TRUST &amp; AGENCY FUNDS:</b>								
County Atty. Check Proc. Fund.....	254.38	330.00	.....	.....	284.25	.....	.....	300.13
Dist. Atty. Check Proc. Fund.....	980.87	175.00	.....	.....	.....	.....	.....	1,155.87
State Cost.....	10,483.90	2,698.00	.....	.....	.....	6,076.80	.....	7,105.10
State CVC.....	55.25	265.00	.....	.....	.....	190.00	.....	130.25
Auto Registration.....	23,720.57	122,728.57	.....	46,633.57	.....	400.10	.....	99,415.47
Adult Probation Fund.....	29,684.47	6,522.38	.....	.....	5,286.11	379.71	.....	30,541.03
Juvenile Probation Fund.....	( 366.34)	4,921.19	.....	.....	2,045.39	28.61	.....	2,480.85
<b>TOTAL ALL FUNDS:</b>	<u>\$744,179.01</u>	<u>\$743,098.70</u>	<u>\$302,140.34</u>	<u>\$302,140.34</u>	<u>\$119,519.66</u>	<u>\$73,352.79</u>	<u>\$ 74,013.20</u>	<u>\$1,220,392.06</u>

\* - NOTE: A Federal Revenue Sharing check in the amount of \$42,997.00 was received April 7, 1983 by the Citizens State Bank for deposit in the Revenue Sharing account. The Treasurer failed to receipt this money until May 5, 1983. The deposit will be recorded in the County's books in May.

I hereby certify that this report is correct to the best of my knowledge and belief, according to records of my office.

*Ann Nichol*  
Ann Nichol, Tyler County Auditor

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