

FILED FOR RECORD: 11-2 19 83 at 9:00 o'clock A M
DULY RECORDED: 11-3 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
OCTOBER 10, 1983

VOL 008 PAGE 594

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

Mrs. J. W. Grimes met with Commissioner's Court to discuss a road easement in the town of Rockland, Texas, also asked Commissioner Mahan of Precinct #3, to move an existing roadway at the same site. She was advised by Commissioner Mahan that he did not intend to move the road to another location unless ordered to do so by a Court order. No further discussion was held.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to approve the County Extension Service Monthly report. All voted yes and none no.

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

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to solicit bids for a new typewriter for the Sheriff's Office. Bids to be opened Friday, October 14, 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 nominate Jerry Mahan to serve again on the Tyler County Appraisal District Board of Directors. All voted yes and none no. Also, A motion was made by Commissioner Riley and seconded by Commissioner Lowe to nominate John Yearwood for a term on the board, with Mr. Yearwood only serving a term if the structure of the board is changed, as outlined in a recent resolution passed by the Commissioner's Court in an effort to change the makeup of the board. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to accept iron ore gravel from Kirby Forest Industries, Inc., to be used in Precinct #1. This donation to the County by Kirby Forest amounts to approximately \$7000.00 for 2000 cubic yards of gravel. All voted yes and none no. See attached.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to approve an affidavit by Commissioner Mahan concerning a public road near Colmesneil, Texas, and its' use and maintenance. All voted yes and none no. See Attached.

Discussion of the Tyler County Budget for 1984 was held with no decisions being made at this time. Judge Allen Sturrock declared a recess in the meeting until Thursday, October 13, 1983 at 9:00 A. M.

RECESSED UNTIL THURSDAY, OCTOBER 13, 1983, AT 9:00 A. M.

IN SESSION

Discussion of the Tyler County Budget for 1984 was held with no decisions being made this date. Meeting recessed until Friday, October 14, 1983 at 9:00 A. M. by County Judge Allen Sturrock.

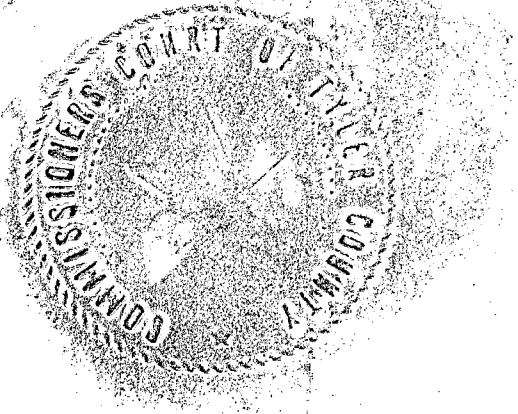
RECESSED UNTIL FRIDAY, OCTOBER 14, 1983 AT 9:00 A. M.

IN SESSION

Further discussion was held concerning the Tyler County Budget for 1984, with no decisions being made this date.

There being no further business, the meeting adjourned.

| | | |
|--------|-----------------------|-------------------------------|
| SIGNED | <u>Allen Sturrock</u> | Allen Sturrock, County Judge |
| | <u>Maxie Riley</u> | Maxie Riley, Comm. Pct. #1 |
| | <u>H. K. Lowe</u> | H. K. Lowe, Comm. Pct. #2 |
| | <u>Jerry Mahan</u> | Jerry Mahan, Comm. Pct. #3 |
| | <u>Berton A. Odom</u> | Berton A. Odom, Comm. Pct. #4 |
| ATTEST | <u>Grace Bostick</u> | Grace Bostick, County Clerk |



COUNTY TREASURER'S REPORT
FOR THE PERIOD ENDING

September 1983

COUNTY TREASURER

AUSTIN FULLER

RECEIPTS, DISBURSEMENTS AND CASH BALANCES

BALANCES, RECEIPTS AND DISBURSEMENTS

All Funds

Month Of September, 1983

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| FUND | Cash On Hand | Receipts Present Month | Transfers In (Out) | Disbursements. | Cash On Hand | Certificates of Deposit | Available Resources |
|------------------------------|-------------------|------------------------|--------------------|-------------------|-------------------|-------------------------|---------------------|
| General | (120,260.96) | 550,777.49 | 1,735.17 | 341,873.36 | 90378.34 | 237,360.00 | 327,738.34 |
| Solid Waste | 4488.48 | 83.95 | .00 | .00 | 4572.43 | .00 | 4572.43 |
| Tyler County Auto Report | 1,759.50 | 49,391.92 | (14,536.13) | 38,608.75 | (1,993.46) | 25,683.65 | 23,690.19 |
| Library | 13,654.55 | 210.00 | .00 | 5,182.91 | 8,681.64 | 5,160.00 | 13,841.64 |
| Capital Improvements | 87,931.69 | .00 | .00 | 56,760.00 | 31,171.69 | 56,760.00 | 87,931.69 |
| R & B # 1 | 88,734.09 | 7,646.92 | 5,448.17 | 79,136.90 | 22,692.28 | 61,280.00 | 83,972.28 |
| R & B # 2 | 98,735.53 | 6,499.44 | 4,258.90 | 80,578.52 | 28,915.35 | 66,440.00 | 95,355.35 |
| R & B # 3 | 63,284.12 | 12,047.04 | 6,860.59 | 67,541.40 | 14,650.35 | 45,800.00 | 60,450.35 |
| R & B # 4 | 117,158.20 | 12,241.04 | 5,391.25 | 97,200.09 | 37,590.40 | 76,760.00 | 114,350.40 |
| County Attorney Check Fees | 62.62 | 405.51 | .00 | 284.25 | 183.88 | .00 | 183.88 |
| District Attorney Check Fees | 1,296.22 | 50.00 | .00 | .00 | 1,346.22 | .00 | 1,346.22 |
| General R & B # 2 | .00 | 8,226.59 | (8,226.59) | .00 | .00 | .00 | |
| Adult Probation | 35,221.81 | 6,483.70 | | 41,963.89 | (258.38) | 35,480.00 | 35,221.62 |
| Juvenile Probation | 534.46 | 1,999.05 | | 2,044.55 | 488.96 | .00 | 488.96 |
| County Wide ROW | 45,901.89 | 1,310.31 | (910.61) | 31,128.00 | 15,173.59 | 30,960.00 | 46,133.59 |
| State Cost #1 | 8,476.60 | 2,015.00 | | .00 | 10,491.60 | .00 | 10,491.60 |
| State Cost #2 | 941.50 | 379.00 | | .00 | 1,320.50 | .00 | 1,320.50 |
| State CVC | 311.50 | 210.00 | (20.75) | 394.25 | 106.50 | .00 | 106.50 |
| Totals For All Funds | 448,231.80 | 659,976.94 | .00 | 842,696.87 | 265,511.89 | 641,683.65 | 907,195.54 |
| Bank Statement Balance | 285,785.37 | | | | | | |
| Less Outstanding Checks | | | | 20,273.48 | | | |
| Total Cash In Bank | | | | | 265,511.89 | | |

BALANCES, RECEIPTS AND DISBURSEMENTS

All Funds

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Month Of September, 1983

| DEPARTMENT | Due Dates | | Purchases | Payments | Balance |
|----------------------------------|-----------|--------|-----------|----------|-------------------|
| Indebtedness: | | | | | |
| R & B # 1-Mustang Tractor Grader | 4-26-84 | | | | 56,660.80 |
| R & B # 1-John Deere Tractor | 4-7-84 | | | | 5,000.00 |
| R & B # 1-Crawler | 3-13-84 | | | | 7,222.75 |
| R & B # 2-John Deere Crawler | | | | | Paid |
| R & B # 3-Backhoe | 4-23-84 | | | | 9,997.50 |
| R & B # 3-Motor Grader | 4-23-84 | | | | 27,551.00 |
| R & B # 3-Mack Truck | 4-13-84 | | | | 32,846.25 |
| R & B # 4-Motor Grader | 4-1-84 | | | | 28,260.00 |
| Total Indebtedness | | | | | 167,538.30 |
| Social Security Fund | | 732.69 | 732.69 | | |
| Tyler County Retirement | | 50.95 | 50.95 | | |
| | | | | | |
| | | | | | |
| | | | | | |

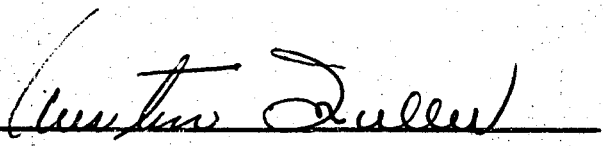
BALANCES, RECEIPTS AND DISBURSEMENTS

All Funds
Month Of Sept. 1983

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| FUND | Cash on Hand | Deposit | Disbursement | Cash on Hand | Available Resources |
|---|--------------|---------|--------------|--------------|---------------------|
| Federal Revenue Sharing Acct. # 003-420 | 59,292.81 | | | | |
| Federal Revenue Sharing Totals | | | 53,701.14 | 5,591.67 | |
| Bank Statement Balance | 5,848.05 | | | | |
| Less Outstanding Checks | | | 256.38 | | |
| Total Cash In Bank | | | | 5,591.67 | |

Austin Fuller
County Treasurer



WITNESS OUR HANDS, officially, this 10 day of October A.D., 1983.

Allen Sturrock
County Judge, Allen Sturrock

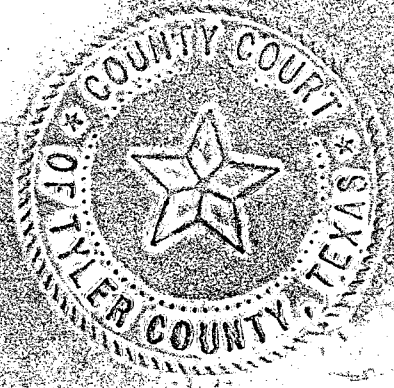
Maxie L. Riley
Commissioner Pct. 1, Maxie L. Riley

Kenneth Lowe
Commissioner Pct. 2, Kenneth Lowe

Jerry Mahan
Commissioner Pct. 3, Jerry Mahan

Berton A. Odom
Commissioner Pct. 4, Berton A. Odom

SWORN TO AND SUBSCRIBED before me, by Allen Sturrock, County Judge, and Maxie L. Riley, Commissioner Pct. 1, Kenneth Lowe, Commissioner Pct. 2, Jerry Mahan, Commissioner Pct. 3, and Berton A. Odom, Commissioner Pct 4, County Commissioners of Tyler County, Texas, each respectively, on this 10 day of Oct A.D., 1983.



Grace Bostick
Tyler County Clerk, Grace Bostick

By: _____
Deputy



September 29, 1983

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Honorable Judge Allen Sturrock
County Judge, Tyler County
Woodville, Texas 75979

Dear Judge Sturrock:

We have received a request from Commissioner Maxie Riley of Precinct 1 for permission to remove iron ore gravel from Kirby property in the I&GN NO. 1 Survey, Abstract 719, Tyler County, at the location pointed out to our representative approximately as shown on the attached sketch in red.

We hereby grant such permission subject to the following understanding:

1. The material removed hereunder will be used in maintenance of county roads within Precinct 1.
2. Removal will be confined to an area of approximately 0.5 acres and total quantities removed will not exceed 2000 cu. yds.
3. Timber within the pit site will be disposed of by Kirby Forest Industries, Inc.
4. Topsoil on the pit site will be stockpiled, and upon completion of removal the pit will be scarified and the topsoil spread over the pit area and the site left in condition that it will drain freely and will not hold water.
5. Removal will be completed on or prior to December 31, 1983, at which time we would appreciate receiving from you a statement as to quantities actually removed.
6. The material being donated in this instance has an approximate value of \$7000.00.
7. In planning, maintaining, operating or abandoning the pit, we will look to you to comply with all applicable provisions of law and governmental regulations.

You may enter and commence removals subject to the above conditions and your agreement to submit this letter to the next regular session of the Commissioners Court for its official acceptance and approval. If this correctly sets forth our understanding, please execute the duplicate copy of this letter and return to me.

Yours very truly,


Marvin Davenport
Manager - Lands & Forests

Accepted and Approved this 19th day of October, 1983.

529.6 ACRES
C-0720-1

LAKE IVANHOE
SUBDIVISION

MASTERTON
LAKE

WOODVILLE DISTRICT

WARREN NE 81

HILLISTER

B.G.N. R.R. CO. BLK. 5 NO. 1 (W)
A-719
266.7 ACRES

SILSBEE DISTRICT
OUT

C-0664-1
157.6 Acs.

Scale: 1" =
600 yards

69
287

JORDAN
LAKE 1770

C-0665-1
109.1 Acs.

HILLISTER

1013

FRANKLIN
(1)

COUNTY
GARBAGE DUMP

OUT 1172

FRANKLIN
(1)

ALLISON
LAKE

Attached to Letter Agreement dated September 28, 1983,
between Kirby Forest Industries, Inc., and the County
of Tyler, Texas. Proposed gravel pit shown in red. (→)

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AFFIDAVIT

THE STATE OF TEXAS §

COUNTY OF TYLER §

BEFORE ME, the undersigned authority, on this day personally appeared JERRY MAHAN, well known to me, who after being by me duly sworn, deposes and says as follows:

"My name is JERRY MAHAN; I am over twenty-one (21) years of age and competent to make this affidavit. I am making this affidavit in connection with a public road situated in Tyler County, Texas, located within Precinct No. 3, and leading in a westerly direction from U. S. Highway 69 about 1/2 miles N. of Colmesneil, Texas.

"This public road travels to, among other places, the County Maintenance Barn for Precinct No. 3 and to 3 acres of land, more or less, out of the G&BN Company Survey, Section No. 2, Block 1, Abstract No. 332, which has been owned, on and off, by Walter Gregory with Mr. Gregory currently holding title to same under Deeds executed by Seawillow Gregory, dated January 24, 1956, recorded in Volume 155, Page 262 and by E. W. Seamans dated April 14, 1975, recorded in Volume 355, Page 460 et seq., of the Deed Records, Tyler County, Texas.

"I have been familiar with this road all of my life and I am aware from personal knowledge that this has been a public road for more than twenty-five (25) years. I am presently serving as the County Commissioner for Precinct No. 3 and have acted in this capacity for approximately 3 years. During this 3 year period, I have acted on behalf of Tyler County in maintaining this road for public passage and have expended County funds for the upkeep of this road to provide access to the public. To the best of my knowledge, the

Commissioner who preceded me also maintained this road as a public road and expended County funds for the maintenance of this road. Further, to my knowledge, there has been no attempt by any part to prevent access along this road to any member of the public."

Further Affiant sayeth not.

Jerry Mahan
JERRY MAHAN, Commissioner,

Pct. #3, Tyler County, Texas

SWORN TO AND SUBSCRIBED TO BEFORE ME, this 10 day of October, A. D., 1983, to certify which witness my hand and seal of office.

Austin Fuller
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 9-1-84
Austin Fuller

TYPED/PRINTED NAME OF NOTARY:

THE STATE OF TEXAS §
COUNTY OF TYLER §
before me on the 10 day of October, A. D., 1983, by JERRY MAHAN.

THIS INSTRUMENT was acknowledged

Austin Fuller
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 9-1-84

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 9-1-84

TYPED/PRINTED NAME OF NOTARY:

Austin Fuller
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: 9-1-84