

FILED FOR RECORD: 11-14 19 83 at 2:30 o'clock P M
DULY RECORDED: 11-15 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
SPECIAL MEETING
OCTOBER 17, 1983-----9:00 A. M.

VOL 008 PAGE 658

A Special Meeting of the Commissioner's Court met on Monday, October 17, 1983, at 9:00 A. M. All members being present except Commissioner Odom. The meeting was opened with prayer by County Judge Allen Sturrock.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to table until a later date any decision concerning accepting a road easement from John Allen Pitman. All voted yes and none no.

Leslie Silva, Chief Appraiser for Tyler County Tax Appraisal District, met with Commissioner's Court to discuss the tax situation for Tyler County. At this time, Commissioner Mahan asked Mr. Silva if he could guarantee a date of delivery for the Tax Appraisal Roll to be given to Tyler County Commissioners Court. Mr. Silva replied that he could not give this guarantee, but that he would submit Commissioner Mahan's request to the Appraisal Review Board for discussion.

There being no further business, the meeting adjourned, with the Budget hearing recessed until Tuesday, October 18, 1983, at 10:00 A. M.

RECESSED

IN SESSION FOR BUDGET HEARING, OCTOBER 18, 1983, 10:00 A. M.

RECESSED UNTIL NOVEMBER 7, 1983, FOR FURTHER BUDGET DISCUSSION.

IN SESSION-SPECIAL MEETING-NOVEMBER 7, 1983-10:00 A. M.

All members being present, meeting being opened with prayer by County Treasurer Austin Fuller.

A motion was made by Commissioner Riley and seconded by Commissioner Odom to approve changing the County's Fiscal year period from January 1 through December 31 of each year to begin on October 1 and end September 30 of each year. All voted yes and none no.

A motion was made by Commissioner Odom and seconded by Commissioner Riley to approve the 1984 Budget, as presented by County Auditor Ann Nichol, pending Amendments. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Odom to appoint Harold Davis as the new Election Judge for Pct. #1, Box 4, Warren Middle School, replacing Herman Elliot who resigned because of illness. Also, Mr. A. G. Smith was appointed as alternate judge of the same box. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to approve accepting a right-of-way easement for a road located northwest of Colmesneil, Texas, Pct. #3. All voted yes and none no. See attached.

A motion was made by Commissioner Odom and seconded by Commissioner Lowe to allow County Clerk Grace Bostick to solicit bids for a new typewriter, to be located in the County Clerk's office. Bids to be accepted and opened at a Special Meeting to be held November 18, 1983 at 10:00 A. M. All voted yes and none no.

A motion was made by Commissioner Odom and seconded by Commissioner Mahan to allow District Clerk Patricia Brown to solicit bids for a new typewriter and adding machine, to be located in the District Clerk's Office. Bids to be accepted and opened at a Special Meeting to be held November 18, 1983, at 10:00 A. M. All voted yes and none no.

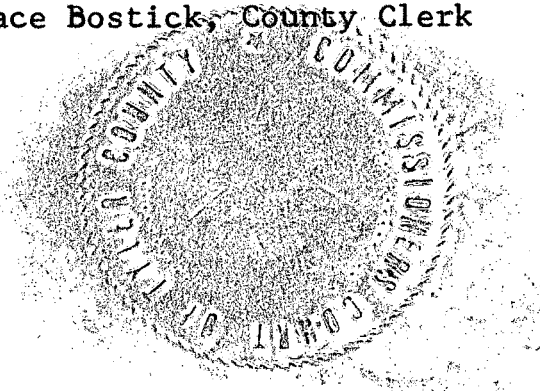
A motion was made by Commissioner Mahan and seconded by Commissioner Lowe to table until Monday, November 14, 1983 at 10:00 A. M. any decision concerning approval of a contract with Sam Houston Electric, Livingston, Texas, for removing poles. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to approve the same tax exemptions as last year for residents over the age of 65 years and the use of the state schedule for disabled veterans of the County. All voted yes and none no.

A motion was made by Commissioner Odom and seconded by Commissioner Lowe to set the overall County Tax rate of 43 cents per \$100.00 valuation for the year; amounts to be broken down as follows: County General Fund--\$.23; Lateral Road and Bridge Fund--\$.13; Hospital District--\$.05. 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
Jerry Mahan Jerry Mahan, Comm. Pct. #3
Berton A. Odom Berton A. Odom, Comm. Pct. #4
 ATTEST Grace Bostick Grace Bostick, County Clerk



WOODVILLE ABSTRACT & TITLE CO.

409 S. MAGNOLIA

WOODVILLE, TEXAS 75979

JAMES M. ALLISON

AREA CODE 409 - 283-5129

October 30, 1983

VOL. 008 PAGE 660

Mr. Jerry Mahan
Commissioner of Precinct 3
Colmesneil, Texas 75938

RE: GF# 3093 ; Right of ways to be accepted by the
County - A-332 - H. G. Sutton et al

We enclose herewith the following:

- ___ Copy of General Warranty Deed - original has been filed
- ___ Copy of Deed of Trust - original has been filed
- ___ Original Note
- ___ Closing Statement
- ___ Statement of charges
- ___ Fire Insurance Binder/Policy
- ___ Truth-In-Lending Disclosure
- ___ Owner's Title Policy
- ___ Mortgagee's Title Policy
- ___ Interim Construction Binder
- ___ Title Policy Commitment
- ___ Check No. _____, in the amount of \$
- ___ 2 for Right of ways for County of Tyler (H. G. Sutton et al,
and John A. Pittman et ux et al) Abstract 332

OTHER:

Jerry: Please have the above two mentioned right of ways processed in the Commissioner's Court for right of way to the County in your usual manner. After the County has accepted these, please let me know. If you have any questions, please call. Thanks.

Thank you for this opportunity to be of service.

WOODVILLE ABSTRACT & TITLE COMPANY

BY: 

COUNTY OF TYLER §

WE, H. G. SUTTON; ODNA OGDEN, Individually and as Co-
Executor of Estate of Cecil Ogden, deceased; and WARD
THAT WESTEROOK, as Co-Executor of Estate of Cecil Ogden,
deceased,

hereinafter called GRANTOR for and in consideration of the sum
of One and No/100 (\$1.00) Dollars, the receipt of which is hereby
acknowledged, have Granted, Sold and Conveyed, and by these
presents do Grant, Sell and Convey unto THE PUBLIC and to the
COUNTY COMMISSIONERS OF TYLER COUNTY, TEXAS, PRECINCT NO. THREE,
the FREE AND UNINTERRUPTED USE, LIBERTY, PRIVILEGE AND EASEMENT
OF PASSING IN AND ALONG A CERTAIN WAY ACROSS A CERTAIN TRACT OF
LAND SITUTATED IN TYLER COUNTY, TEXAS, described as follows,

to-wit:

Said way being fifty (50') feet in breadth and twenty
five (25') feet in breadth, more particularly described
on EXHIBIT "A" hereto attached and made a part hereof
for all pertinent purposes.

For the same consideration, Grantor does further grant,
bargain, sell and convey unto the Grantee the right to grade,
excavate and use the soil from said right-of-way to construct and
repair said road; the right to surface the same with any material
Grantee deems suitable for the purpose; the right to install or
construct all bridges, cattle gaps, culverts, gates, drainage
ditches and other facilities necessary or desireable in the
maintenance of said road; and the right to cut any timber located
upon said right-of-way, and to use or remove the same.

Hereby granting free ingress, egress, regress to and for
the said Grantee, their successors, heirs and assigns and their
tenants, by foot, wagon, automobile and other vehicles as by them
shall be necessary or convenient at all times and seasons forever,
in, along, upon and out of said way, in common with us, our heirs
and assigns, and our tenants.

TO HAVE AND TO HOLD all and singular the said rights
and privileges aforesaid to the said Grantee, their successors,

heirs and assigns, to their proper use and behoof, in common with us, our heirs and assigns, and our tenants.

WITNESS our hands this the 12th day of October, 19 83.

H. G. Sutton

H. G. SUTTON

Odna Ogden

ODNA OGDEN, individually and as Co-Executor of Estate of Cecil Ogden, deceased

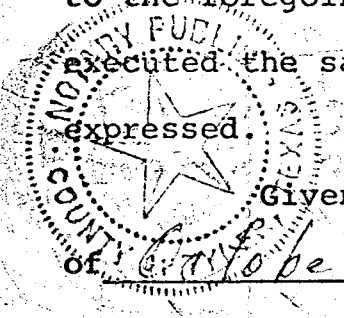
Ward Westbrook

WARD WESTBROOK, as Co-Executor of Estate of Cecil Ogden, deceased

THE STATE OF TEXAS §

COUNTY OF TYLER §

Before me, the undersigned authority, on this day personally appeared H. G. SUTTON known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



Given under my hand and seal of office this 12th day of October, 19 83.

My Commission Expires:

1-18-85

Josie Reid

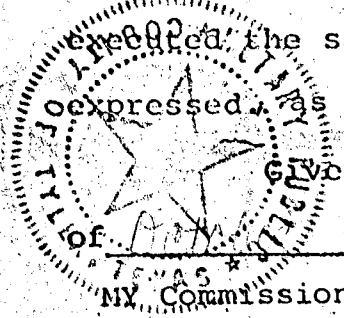
Notary Public in and for Tyler County, Texas.

Name Josie Reid Type or Print

THE STATE OF TEXAS §

COUNTY OF TYLER §

Before me, the undersigned authority, on this day personally appeared ODNA OGDEN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, as in the capacities therein stated.



Given under my hand and seal of office this 13th day of October, 19 83.

MY Commission Expires:

01-31-85

Laverne Owens

Notary Public in and for Tyler County, Texas.

Name LAVERNE OWENS Type or Print

THE STATE OF TEXAS §
COUNTY OF ~~JASPER~~ *Tyler* §

This instrument was acknowledged before me on this the
20 day of October 1983, by the said WARD WESTBROOK,
and in the capacity therein stated.

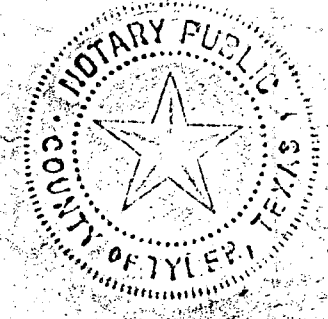
Thelma McKee

NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 12-31-84

Name: Thelma McKee

(Typed or Printed)



FIELD NOTES
3.06 ACRES
EASEMENT

VOL 008 PAGE 664

Field Notes of a 3.06 Acre Tract in G. & B. N. Section No. 2, Abstract No. 332 Tyler County, Texas, and being described as follows, to-wit:

BEGINNING at a point in the East edge of a 50.00 feet wide road way same being the West line of the Marion Scott Gilchrist 97.191 Acre Tract out of the said G. & B. N. Section No. 2, recorded in Volume 397, Page 342 of the Tyler County Deed Records said point bears S 00°02'29" E 1576.22 feet from the Northwest corner of the said 97.191 Acre Tract said point also bears S 89°39'35" W 1938.19 feet and S 00°02'29" E 1576.22 feet from the Northeast corner of G. & B. N. Section No. 2;

THENCE S 00°02'29" E along and with the East edge of said road and West line of the said 97.191 Acre Tract at 635.51 feet pass the Southwest corner of the said 97.191 Acre Tract and at a total distance of 3082.97 feet to a point for corner in the center of a 50.00 feet wide county maintained graded road;

THENCE S 89°44' W along and with the center of said road 50.00 feet to a point for corner in the West edge of the said 50.00 feet wide road way;

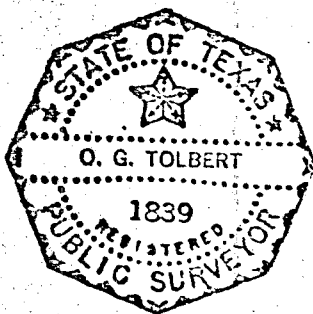
THENCE N 00°02'29" W along and with the West edge of the said road way 2245.00 feet to a point for corner in the South line of the John A. Pittman 100.00 Acre Tract also a part of the said G. & B. N. Section No. 2 recorded in Volume 227, Page 223 of the said Deed Records;

THENCE N 89°44' E along and with the South line of the said 100 Acre Tract 25.00 feet to a point at the Southeast corner of same in the center of said road way;

THENCE N 00°02'29" W along and with the East line of the said 100 Acre Tract and center of said road way 837.97 feet to a point for corner;

THENCE N 89°44' E 25.00 feet to the PLACE OF BEGINNING containing 3.06 Acres of Land.

Surveyed September, 1983.



O. G. Tolbert
O. G. TOLBERT
REGISTERED PUBLIC SURVEYOR
NO. 1839

EXHIBIT "A"

LINDY DENNIS

200 AC. TR.

D.G. MANN

A-941

N 89° 30' 35" E 1938.19

(97.191 AC)

JOHN A. PITTMAN
100 AC.

N 88° 30' W
20.80

Z. M. OWENS
A-1043

③
14.34 AC

②
14.34 AC

①
14.34 AC.

3.160 AC.

14.340 AC

688.07
500° 54' 16" W
452.76
500° 23' 46" W
478.14
500° 01' 54" W
317.98
500° 15' 33" E

S 00° 11' 45" W
139.00

S 00° 59' E
81.57

S 89° 48' 36" W 1904.15

PART OF G. & B. N SECTION
NO. 2. A-332, TYLER CO,
TEXAS.



SCALE 1" = 400'

LEGEND

- = CONC-MON
- = NAIL

SURVEYED SEPTEMBER 1983
BY O.G. TOLBERT
R.P.S. NO. 1839

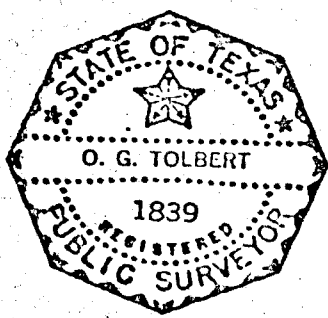


EXHIBIT "A"

CO. MAINTAINED
GRADED ROAD

837.97 N 00° 22' 25" W

N 00° 22' 25" E 2245
ROADWAY, 3082.37
500 0229E

0.48
R.

50' 30'

COUNTY OF TYLER §

THAT WE JOHN A. PITTMAN, and wife, NANNIE L. PITTMAN;
JAMIE RAY PITTMAN and wife, VICKIE RENEE PITTMAN

hereinafter called GRANTOR for and in consideration of the sum of One and No/100 (\$1.00) Dollars, the receipt of which is hereby acknowledged, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto THE PUBLIC and to the COUNTY COMMISSIONERS OF TYLER COUNTY, TEXAS, PRECINCT NO. THREE, the FREE AND UNINTERRUPTED USE, LIBERTY, PRIVILEGE AND EASEMENT OF PASSING IN AND ALONG A CERTAIN WAY ACROSS A CERTAIN TRACT OF LAND SITUATED IN TYLER COUNTY, TEXAS, described as follows, to-wit:

Said way being twenty five (25') feet in breadth and more particularly described on EXHIBIT "A" hereto attached and made a part hereof for all intents and purposes.

For the same consideration, Grantor does further grant, bargain, sell and convey unto the Grantee the right to grade, excavate and use the soil from said right-of-way to construct and repair said road; the right to surface the same with any material Grantee deems suitable for the purpose; the right to install or construct all bridges, cattle gaps, culverts, gates, drainage ditches and other facilities necessary or desirable in the maintenance of said road; and the right to cut any timber located upon said right-of-way, and to use or remove the same.

Hereby granting free ingress, egress, regress to and for the said Grantee, their successors, heirs and assigns and their tenants, by foot, wagon, automobile and other vehicles as by them shall be necessary or convenient at all times and seasons forever, in, along, upon and out of said way, in common with us, our heirs and assigns, and our tenants.

TO HAVE AND TO HOLD all and singular the said rights and privileges aforesaid to the said Grantee, their successors,

heirs and assigns, to their proper use and behoof, in common with us, our heirs and assigns, and our tenants.

WITNESS our hands this the 28 day of October, 19 83.

John A. Pittman
JOHN A. PITTMAN

Nannie L. Pittman
NANNIE L. PITTMAN

Jamie R. Pittman
JAMIE RAY PITTMAN

Vickie Renee Pittman
VICKIE RENEE PITTMAN

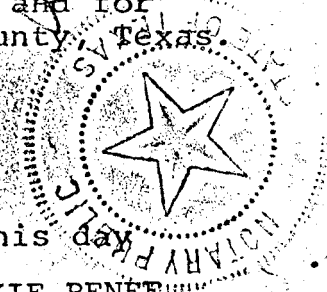
THE STATE OF TEXAS §
COUNTY OF TYLER §

Before me, the undersigned authority, on this day personally appeared JOHN A. PITTMAN and wife, NANNIE L. PITTMAN known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 28 day of October, 19 83.

My Commission Expires: 10-1983
Name: L. B. HERRING
Type or Print

L. B. Herring
Notary Public in and for
TYLER County, Texas.



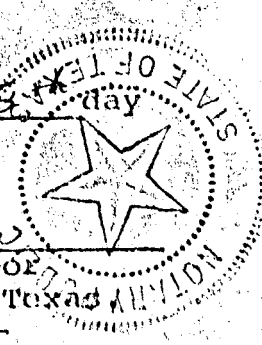
THE STATE OF TEXAS §
COUNTY OF TYLER §

Before me, the undersigned authority, on this day personally appeared JAMIE RAY PITTMAN and wife, VICKIE RENEE PITTMAN known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 28 day of October, 19 83.

My Commission Expires: 10-84

L. B. Herring
Notary Public in and for
Tyler County, Texas
Name: L. B. HERRING
Type or Print



FIELD NOTES
0.48 ACRES
EASEMENT

VOL 008 PAGE 668

Being out of Abstract No. 332, G. & B. N. Section No. 2, Tyler County, Texas, and being a part of the John A. Pittman 100.00 Acre Tract recorded in Volume 227, Page 223 of the Tyler County Deed Records and being 0.48 of an acre being described as follows, to-wit:

BEGINNING at a point at the Southeast corner of the above mentioned 100.00 Acre Tract in the center of a 50.00 feet wide road way;

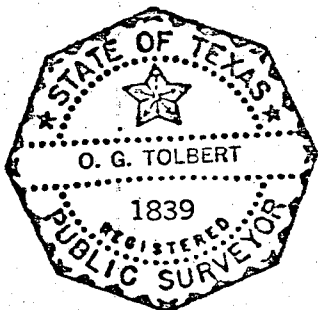
THENCE S $89^{\circ}44'$ W along and with the South line of the said 100 Acre Tract 25.00 feet to a point for corner;

THENCE N $00^{\circ}02'29''$ W along the West edge of said road way 837.97 feet to a point for corner;

THENCE N $89^{\circ}44'$ E 25.00 feet to a point for corner in the center of the said road way same being the East line of the said 100.00 Acre Tract;

THENCE S $00^{\circ}02'29''$ E along and with the center of said road and East line of the said 100 Acre Tract 837.97 feet to the PLACE OF BEGINNING containing 0.48 of an acre;

Surveyed September, 1983.



O G Tolbert

O. G. TOLBERT
REGISTERED PUBLIC SURVEYOR
NO. 1839

EXHIBIT "A"

LINDY DENNIS

200 AC. TR.

D. G. MANN

A-941

VOL 008 PAGE 669

N 89° 39' 35" E 1938.19

(97-191 AC)

688.07
S 00° 54' 16" W

N 88° 30' W
20.80

Z. M. OWENS
A-1043

③
14.34 AC.

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14.34 AC.

3.160 AC.

14.340 AC.

S 00° 23' 46" W
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S 00° 01' 51" W
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S 00° 11' 45" W
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S 89° 48' 36" W 1904.15

100 AC.

837.07 N 00° 02' 29" W

N 00° 02' 29" E 2245
ROAD WAY 3922.97
3.06 AC.
S 00° 02' 29" E

PART OF G. & B. N SECTION
NO. 2. A-332, TYLER CO,
TEXAS.



SCALE 1" = 400'

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SURVEYED SEPTEMBER 1983
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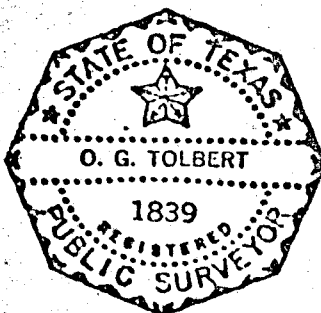


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