

FILED FOR RECORD: 1-10 19 85 at 3:30 o'clock P M
DULY RECORDED: 1-15 19 85 at 9:00 o'clock A M
INSTRUMENT NO. _____ GRACE BOSTICK, TYLER CO. CLK.
BY: Jean Phillips Deputy
JEAN PHILLIPS

TYLER COUNTY COMMISSIONERS COURT
REGULAR MEETING
DECEMBER 10, 1984----10:00 A. M.

VOL **009** PAGE **876**

The Regular Meeting of the Commissioner's Court was held on Monday, December 10, 1984, at 10:00 A. M. All members being present. The meeting was opened with prayer by Judge Allen Sturrock.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to advertise for bids for one (1) 1982 Ford LTD, 4Dr. Sedan and one (1) Chevrolet Impala, 4Dr. Sedan, Used automobiles to be sold by the Sheriff's Department, with bids received to be opened on Monday, December 31, 1984, at 10:00 A. M. All voted yes and none no. See Attached.

A motion was made by Commissioner Jordan and seconded by Commissioner Mahan to table until a later date any decision to be made concerning radio equipment for the Sheriff's Department. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Jordan to table until Friday, December 14, 1984, at 10:00 A. M., any decision to be made concerning the County Auditor's Monthly report, as requested by County Auditor Ann Fondren. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Jordan to table until Friday, December 14, 1984, at 10:00 A. M., any decision to be made concerning the County Extension Services' Monthly report, since the report had not been turned in by Court time. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to extend the contract with Chem-Air; period of time from June, 1984 through June, 1985, for the amount of \$300.00 per month, Contract to be signed at a later date. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Jordan to solicit bids for a new typewriter, to be used in the Tax Assessor-Collector's office, as requested by Tax Assessor-Collector Barbara Tolbert. Bids received to be opened on Monday, December 31, 1984, at 10:00 A. M. All voted yes and none no.

A motion was made by Commissioner Jordan and seconded by Commissioner Mahan to declare Tuesday, January 1, 1985 as the New Year's Holiday for County Employees. All voted yes and none no.

Maxie Riley, Commissioner of Pct. #1, and also as a member of the Tyler County Jail Committee, gave a report on the studies and actions of the Jail Committee to date. At this time, a motion was made by Commissioner Lowe and seconded by Commissioner Mahan to authorize the Jail Committee to have a title search and survey of land that possibly might be purchased for the new jail site. All voted yes and none no.

Members of the Tyler County Industrial Development Corporation met with Commissioners' Court to discuss an order approving issuance by the Industrial Financing Corporation of Tyler County, Texas of an issue in the amount of \$4,000,000.00 of the Industrial Financing Corporation of Tyler County, Texas Industrial Development Revenue Bonds (E. & L. Lumber Co., Inc. Project) Series 1984, and to discuss all the details with the Court. Members appearing before the Court were Tom Knapp, Chairman, John Coker, also Don Howell, Attorney for this organization, from the firm of Vinson & Elkins, Attorneys at Law, Houston, Texas. Also attending the meeting were representatives of E & L Lumber Co., Inc., Elvin Lowery, Lester Lowery and their attorney, Robert T. Cain, Jr., from the firm of Zeleskey, Cornelius, Rogers, Hallmark, & Hicks, Attorneys at Law, Lufkin, Texas. At this time, Judge Allen Sturrock opened a public hearing for the public's comments. After some discussion,

and upon Mr. Tom Knapp's recommendation of same, a motion was made by Commissioner Mahan and seconded by Commissioner Riley to approve the Joint Resolution of the Board of Directors of the Industrial Financing Corporation of Tyler County, Texas, and the Commissioners Court of Tyler County, Texas. All voted yes and none no. See Attached. At this time, a motion was made by Commissioner Riley and seconded by Commissioner Mahan to approve the Resolution approving the bonds to be issued with no expense to the County. All voted yes and none no. See Attached.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to approve a resolution supporting the Senior Citizens' programs and also supporting the Texas Department on Aging's (Level 4) Budget Request. All voted yes and none no. See Attached.

A motion was made by Commissioner Mahan and seconded by Commissioner Lowe to placing a hold on funds that are presently scheduled for the Warren Volunteer Fire Department, pending an investigation into problems that exist at present. This was done after Mr. George McCuen, Fire Chief of the newly organized Warren Fire Department, appeared before the Court, and discussed problems of the original fire department. All voted yes and none no. At this time, a motion was made by Commissioner Jordan and seconded by Commissioner Lowe to approve asking Billy Burk, Fire Chief of the original Warren Volunteer Fire department, to bring the Department's Books in for inspection by the Court. All voted yes and none no. See Attached.

RECESSED:


IN SESSION:

A motion was made by Commissioner Lowe and seconded by Commissioner Mahan to approve the request from the Department of Human Resources for the County to donate to five (5) foster children the amount of \$50.00 each, to be used for Christmas presents purchased for the children. All voted yes and none no. See Attached.

Wanda Brasher, Justice of the Peace #1, appeared before the Court, explained that the work load in her department has increased greatly, and that she would not be able to keep a present employee, whose salary has been paid up until now by Deep East Texas Council of Governments; but also indicated that she had made an agreement with the Council for one-half of the salary presently paid to the employee, if the Court would pay the other half. After some discussion on the matter, a motion was made by Commissioner Mahan and seconded by Commissioner Lowe to approve paying the extra salary as requested. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Jordan to table until Monday, December 31, 1984, at 10:00 A. M. approving bonds for Newly Elected officials for the County. All voted yes and none no.

There being no further business, the meeting adjourned.

 <p>SIGNED</p>	<p><i>Allen Sturrock</i></p> <hr/> <p><i>Maxie Riley</i></p> <hr/> <p><i>H. K. Lowe</i></p> <hr/> <p><i>Jerry Mahan</i></p> <hr/> <p><i>James R. Jordan</i></p> <hr/> <p>ATTEST: <i>Grace Bostick</i></p>	<p>Allen Sturrock, County Judge</p> <p>Maxie Riley, Comm. Pct. #1</p> <p>H. K. Lowe, Comm. Pct. #2</p> <p>Jerry Mahan, Comm. Pct. #3</p> <p>James R. Jordan, Comm. Pct. #4</p> <p>Grace Bostick, County Clerk</p>
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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, 1984 at 10:00 A. M. in the Commissioners Courtroom, First Floor, Tyler County Courthouse.

A G E N D A

1. APPROVE COUNTY EXTENSION MONTHLY REPORT.
2. APPROVE COUNTY AUDITORS MONTHLY REPORT.
3. APPROVE RESOLUTION SUPPORTING AGING PROGRAMS.
4. EDD PHILIPS ON RADIO EQUIPMENT (possibly go out for bids)
5. WARREN V.F.D. (Greg Bryant)
6. TYLER COUNTY INDUSTRIAL DEV. CORP. (John Yearwood)
7. EXTEND CONTRACT WITH CHEM-AIR.
8. GO OUT FOR BIDS TO SELL TWO CARS FROM SHERIFFS DEPT.
9. SOLICIT BIDS ON TYPEWRITER FOR TAX OFFICE.
10. SET NEW YEAR HOLIDAY. SET HOLIDAYS FOR 1985.
11. WANDA BRASHER ON PERSONNEL.
12. APPROVE BONDS FOR NEWLY ELECTED OFFICIALS.
13. JAIL COMMITTEE REPORT AND ACTION.
14. CONSIDER REQUEST FROM DEPT. OF HUMAN RESOURCES.

6 copies

1. Public hearing with respect to proposed issuance of the Industrial Financing Corporation of Tyler County, Texas Industrial Development Revenue Bonds (E. & L. Lumber Co. Project) Series 1984 in the amount of \$4,000,000.00, pursuant to published notice (copy attached).
2. Consider resolution approving public hearing, project, and issuance of said bonds.
3. Consider resolution approving issuance of Industrial Financing Corporation of Tyler County, Texas Industrial Development Revenue Bonds (E. & L. Lumber Co. Project) Series 1984 in the amount of \$4,000,000.00.

*John Yearwood
County Judge
Tyler County*

NO. _____ TIME: 8:30 ^{AM} _{PM}

DEC 07 1984

GRACE BOSTICK, COUNTY CLERK
TYLER COUNTY, TEXAS

BY: *Wanda Johnston*

WANDA JOHNSTON

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6/2/85

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*Wanda Johnston
County Judge
Tyler County*

NO. _____ TIME: 8:30 AM

DEC 07 1984

GRACE BOSTICK, COUNTY CLERK
TYLER COUNTY, TEXAS

BY: *Wanda Johnston*

WANDA JOHNSTON

2/10/84

TYLER COUNTY ADULT PROBATION
MONTHLY WORKLOAD SUMMARY REPORT

PAGE 1

CHIEF OFFICER: KENNY SIMPSON
P. O. BOX 967
TYLER COUNTY COURTHOUSE
WOODVILLE, TX 75979

TELE NO.: 409-283-5255

DATA ON LAST WORKING DAY OF NOVEMBER 1984	FELONY	MISDMR	TOTAL
A. ADULTS RECEIVING SUPERVISION	120	296	416
B. ADULTS RECEIVING DIRECT SUPERVISION	59	128	187
1. MAXIMUM SUPERVISION	6	15	21
2. MEDIUM SUPERVISION	40	92	132
3. MINIMUM SUPERVISION	13	21	34
C. ADULTS RECEIVING INDIRECT SUPERVISION	61	168	229
1. TEXAS INTRASTATE TRANSFERS	33	55	88
2. TEXAS INTERSTATE TRANSFERS	6	0	6
3. RESIDING AND/OR WORKING IN JURISDICTION	1	0	1
4. ABSCONDERS	5	51	56
5. OTHERS	16	62	78
D. ADULTS RECEIVING PRE-TRIAL RELEASE OR PRE-TRIAL DIVERSION SUPERVISION	0	0	0
E. ADULTS NOW ON SHOCK PROBATION	4	0	4
F. TRANSFERS INTO TEXAS	4	0	4

TRANSACTIONS DURING MONTH OF NOVEMBER 1984	FELONY	MISDMR	TOTAL
G. ADULTS ADDED TO CASELOAD	5	15	20
1. PLACED ON PROBATION BY LOCAL COURTS	2	13	15
2. ADULTS TRANSFERRED IN	3	2	5
3. OTHERS	0	0	0
H. ADULTS SUBTRACTED FROM CASELOAD	2	24	26
I. DISCHARGE OF SUCCESSFUL PROBATIONERS	1	19	20
1. EARLY TERMINATION/DISCHARGE	1	0	1
2. EXPIRATION OF PROBATION	0	19	19
J. DISCHARGE OF UNSUCCESSFUL PROBATIONERS	0	2	2
1. REVOKED AND INCARCERATED AT TDC	0	0	0
2. OTHER REVOCATIONS	0	2	2
3. OTHER NEGATIVE TERMINATIONS	0	0	0
4. REVOCATIONS - LEVEL OF SUPERVISION	0	2	2
A. MAXIMUM SUPERVISION	0	1	1
B. MEDIUM SUPERVISION	0	0	0
C. MINIMUM SUPERVISION	0	0	0
D. OTHERS	0	1	1
K. DISCHARGE BECAUSE OF PROBATIONER'S DEATH	0	0	0
L. ADMINISTRATIVE CLOSURES BY DEPARTMENT	1	3	4
1. RETURN OF COURTESY SUPERVISION	1	3	4
2. OTHER	0	0	0
M. WRITTEN PRE-SENTENCE INVESTIGATION	0	0	0

CERTIFICATION:

CHIEF PROBATION OFFICER: _____

DATE: _____

DISTRICT JUDGE: _____

DATE: _____

TYLER COUNTY ADULT PROBATION
JUDGE'S PROBATIONER ACTIVITY REPORT

END OF NOVEMBER 1984

PROBATIONER DISTRIBUTION BY OFFENSE

OFFENSE CODE	DESCRIPTION	# PROBATIONERS	PERCENT
0		416	100.0
900	CRIMINAL HOMICIDE	3	.7
999	ATTEMPTED MURDER	2	.5
1000	KIDNAPPING		
1100	SEXUAL ASSAULT	2	.5
1200	ROBBERY	3	.7
1300	ASSAULT	12	2.9
1400	ABORTION		
1601	UNLAWFUL USE OF CRIMINAL INSTRUMENT		
2000	ARSON		
2100	EXTORTION		
2200	BURGLARY	35	8.4
2300	THEFT	33	7.9
2400	VEHICLE THEFT	1	.2
2411	UNAUTHORIZED USE OF MOTOR VEHICLE	2	.5
2500	FORGERY	6	1.4
2600	FRAUD		
2605	CREDIT CARD ABUSE		
2606	WORTHLESS CHECK	3	.7
2700	EMBEZZLEMENT		
2800	STOLEN PROPERTY	1	.2
2900	CRIMINAL MISCHIEF	4	1.0
3500	CONTROLLED SUBSTANCES	48	11.5
3600	SEX OFFENSES	1	.2
3700	OBSCENITY		
3800	OFFENSES AGAINST THE FAMILY	1	.2
3899	CIVIL PROBATION-NON-PAYMENT OF CHILD SUPPORT		
3900	GAMBLING		
4000	PROSTITUTION		
4100	LIQUOR VIOLATIONS	2	.5
4800	OBSTRUCTING THE POLICE	1	.2
4900	FLIGHT-ESCAPE	2	.5
5000	OBSTRUCTING OFFICIAL PROCEEDING & PERJURY	1	.2
5012	PROBATION VIOLATION		
5100	BRIBERY & CORRUPT INFLUENCE		
5200	WEAPONS OFFENSE		
5300	PUBLIC PEACE	1	.2
5400	TRAFFIC OFFENSE	3	.7
5403	DUID	1	.2
5404	DWI	243	58.4
5499	SALE OF ALCOHOLIC BEVERAGE	2	.5
5700	CRIMINAL TRESPASS	3	.7
7300	PUBLIC ORDER CRIMES		

TOTAL # PROBATIONERS: 416

JUVENILE PROBATION REPORT NOVEMBER 84

TOTAL NUMBER OF JUVENILES 18

NEW CASES THIS MONTH 7

TERMINATIONS 5

JUVENILE CONTACTS THIS MONTH

PERSON 21

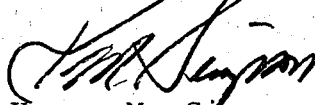
FIELD 12

COURT 3

COMMUNITY SERVICE REPORT

There was one person working a total of 40 hours community service. The organizations served were Woodville Independant School District and The Tyler County Courthouse.

Respectfully submitted,



Kenny M. Simpson
Probation Officer

Regular Meeting
December 10, 1984

All Present
Prayer by Judge Sturrock

- ✓ (8) R L 82 Ford LTD 4 Dr. 1983 Chev. Impala 4 Dr. -
Advertise 1 time - Can be seen on Courthouse Square
Bids to be opened 12-31-84 at 10:00 AM Approved
- ✓ (4) J M Table til ~~Friday~~ ^{later date}, 1984 at 10:00 AM Approved
- ✓ (2) M J Table til Friday¹²⁻¹⁴⁻⁸⁴, 1984 at 10:00
- ✓ (1) M J Tabled til Friday, 1984 at 10:00
- ✓ (7) R M Contract with Chemlin - To Extend from 6-84 to 6-85.
for 300.00 Month - Contract to be signed later.
- ✓ (9) M J Barbara Tallant's Office - New typewriter - Solicit
Bids - To be opened 12-31-84.
- ✓ (10) J M Set ^{Sunday} Jan. 1, 1985 as New Year's Day Holiday
- ✓ (13) M J Jail Committee Report - Marie Riley gave report
Motion to Authorize Jail Committee to have a
title search & survey if necessary. Approved.
- ✓ (6) R M Tyler County Industrial Dev. Corp. Bob Cain, Don
Samuel Attorney, Vinson & Elkins, Houston Tom Knapp.
Chairman John Coker, & R. E. Allison, Jr. members.
Two from E & E Lumber Co. ^{10:25 AM} Judge Sturrock opened
a public hearing for the Public's Comments.
Mr. Knapp recommend that we ~~accept~~ ^{approve} a resolution
the Public Hearing for alone, ^R in Resolution approving
the bonds with no expense to the County.
Approved - See attached.

Alvin
Bostick
January 1985

✓ (3) ^R/_L To approve Resolution supporting Aging Programs.

✓ (5) ^M/_L George ~~McBain~~ ^{McCuen} of Warren V.F.D. appeared to approve putting hold on funds that go to Warren Fire Dept. until problem can be cleared up. Approved.

✓ ^D/_L To ask Billy Burk to bring books in for inspection on same.

McCuen
Recessed at 11:00 A.M.

In Session:

✓ (14) ^L/_M Approved - no names in minutes -

✓ (11) ^M/_L Wanda Brasher, J.P.#1, appeared asking for extra help. To enter into agreement with OJT to pay 1/2 salary of present OJF employee. See attached

✓ (12) ^M/_J Approved bonds at 10.00 - Dec. 31, 1984

NOTICE TO BIDDERS

VOL 009 PAGE 878

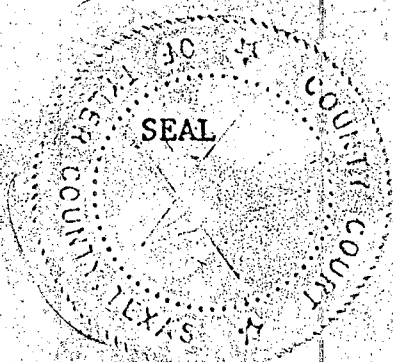
Sealed bids addressed to the County of Tyler, for the following:

- One (1) Used 1982 Ford LTD, 4Dr. Sedan
 - One (1) Used 1983 Chevrolet Impala, 4Dr. Sedan
- (Automobiles may be viewed on Courthouse Lawn)

Will be received in the Office of the County Clerk, County of Tyler, Texas, Courthouse, Woodville, Texas, until 10:00 am/pm, on Monday, 31st day of December, 19 84 at which time and place all bids received shall be opened and read.

Further information and details are available in the office of the County Clerk, County of Tyler, Texas. The County of Tyler reserves the right to reject any or all bids and to waive informalities.

GRACE BOSTICK
County Clerk
Tyler County, Texas



JOINT RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
INDUSTRIAL FINANCING CORPORATION OF TYLER COUNTY, TEXAS
AND THE COMMISSIONERS COURT OF
TYLER COUNTY, TEXAS

WHEREAS, by resolution, the Commissioners Court (the "Governing Body") of the County of Tyler, Texas (the "Unit") did authorize and approve the creation of the Industrial Financing Corporation of Tyler County, Texas (the "Corporation") as a non-profit industrial development corporation under the provisions of the Development Corporation Act of 1979, Article 5190.6, Texas Revised Civil Statutes Annotated, as amended; and

WHEREAS, on August 22, 1984, the Board of Directors (the "Board of Directors") of the Corporation adopted a certain Resolution Agreeing to Issue Bonds (the "Inducement Resolution") whereby the Corporation agreed to issue its bonds to provide for the financing of a project (the "Project") for E. & L. Lumber Co., Inc.; and

WHEREAS, Section 103(k) of the Internal Revenue Code of 1954, as amended (the "Code"), requires that the Bonds be approved by the applicable elected representative of the Corporation and the Unit after a public hearing following reasonable public notice; and

WHEREAS, the applicable elected representative of the Corporation and the Unit is the County Judge of Tyler County, Texas (the "County Judge"); and

WHEREAS, on December 10, 1984, the Board of Directors and the Governing Body held a public hearing with respect to the Bonds and the Project (i) in a location which, under the facts and circumstances, was convenient for residents of the Unit, (ii) for which there was reasonable public notice, and (iii) that provided all of the residents of the Unit a reasonable opportunity to be heard, all in compliance with Section 103(k) of the Code and the regulations thereunder; NOW, THEREFORE

BE IT RESOLVED by the Board of Directors of Industrial Financing Corporation of Tyler County, Texas and the Commissioners Court of Tyler County, Texas, that:

Section 1. The Board of Directors and the governing body hereby find, determine, recite and declare that a public hearing with respect to the Bonds and the Project was held on this date; that such public hearing constituted a forum providing a reasonable opportunity for interested individuals to express

their views on the proposed issue of the Bonds and the location and nature of the proposed Project to be financed; that notice of such public hearing (the "Notice") was published no fewer than 14 days before this date in a newspaper of general circulation within the Unit; that such published notice was reasonably designed to inform residents of the Unit of the proposed issue; and that the notice stated (i) the date, time, and place of the public hearing, (ii) a functional description of the type and use of the Project to be financed, (iii) the maximum aggregate face amount of the Bonds to be issued with respect to the Project, (iv) the initial owner and operator of the Project, and (v) the prospective location of the Project.

Section 2. The Board of Directors and the Governing Body hereby specifically approve the bonds and the Project, all as more particularly described in the notice.

Section 3. This resolution is adopted for the purposes of satisfying the conditions and requirements of Section 103(k) of the Code and the regulations thereunder.

Section 4. The Board of Directors and the Governing Body, having considered evidence of the posting of notice of their respective meetings, hereby officially find, determine, recite and declare that sufficient written notices of the date, hour, and place of the respective meetings of the Board of Directors and Governing Body and of the subject matters thereof were posted on a bulletin board at a place convenient to the public in the County Courthouse of Tyler County, Texas, in the City of Woodville Texas, for at least 72 hours preceding the convening of such meetings; that such place of posting was readily accessible to the general public at all times from the time of posting until the convening of such meetings; and that such meetings were open to the public as required by law at all times during which this resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Law, Article 6252-17, Texas Revised Civil Statutes Annotated, as amended.

Section 5. The Board of Directors and the Governing Body hereby request that the County Judge approve the Bonds and the Project as the authorized elected representative of the Corporation and the Unit.

PASSED AND APPROVED this 10th day of December, 1984.

A RESOLUTION

PROVIDING FOR THE FINANCING BY THE INDUSTRIAL FINANCING CORPORATION OF TYLER COUNTY, TEXAS OF THE E. & L. LUMBER CO., INC. PROJECT UNDER THE DEVELOPMENT CORPORATION ACT OF 1979; AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF THE BONDS HEREIN DESCRIBED; AUTHORIZING THE EXECUTION, DELIVERY AND ACCEPTANCE OF CERTAIN AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; CONFIRMING THE SALE OF SUCH BONDS, AND RESOLVING RELATED MATTERS.

WHEREAS, pursuant to the Development Corporation Act of 1979, as amended, Article 5190.6, Vernon's Texas Civil Statutes (the "Act"), the County of Tyler, Texas (the "Unit") authorized the creation of this non-profit corporation (the "Issuer") which is authorized to issue its revenue bonds to finance the costs of any "project" as defined in the Act to enable the Issuer to promote industrial and commercial development and expansion, employment and the public welfare within the State of Texas (the "State"); and

WHEREAS, E. & L. Lumber Co., Inc. (the "Company"), a Texas corporation, has agreed that the Company will acquire certain real estate and personalty (the "Project") within the Unit which will be of a character which will accomplish the purposes of the Act, and the Issuer has now agreed to issue a series of revenue bonds to finance a part or all of the Project, all as set forth in the agreements and documents herein approved; and

WHEREAS, it is estimated that the costs of the Project, including costs relating to the preparation and issuance of such revenue bonds, will be not less than \$4,000,000; and

WHEREAS, this Board of Directors deems it appropriate and advisable to authorize the issuance and confirm the sale of such bonds and to authorize the execution and delivery of the appropriate agreements, indenture, contracts and other debt and security documents hereinafter approved;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE INDUSTRIAL FINANCING CORPORATION OF TYLER COUNTY, TEXAS, as follows, to-wit:

Section 1. The capitalized terms used in this Resolution shall have the meanings prescribed for such terms in the document entitled "Bond Transaction Agreement" (the "Agreement"),

attached hereto and approved hereby, to be executed by the Issuer, the Company, RepublicBank Lufkin, Fredonia State Bank, and RepublicBank Lufkin, Trustee.

Section 2. This Board of Directors, acting on behalf of the Issuer, hereby finds, determines and declares, but solely for its own purposes in performing its duties under the Act and the regulations of the Commission, that:

(a) The Project is in furtherance of the public purposes of the Act and the promotion and development of commercial development and expansion to provide and encourage employment and the public welfare in the Unit and the State;

(b) The Project will contribute to the economic growth or stability of the Unit by increasing or stabilizing employment opportunity, significantly increasing or stabilizing the property tax base and promoting commerce within the Unit and State.

(c) The material requirements for and pre-requisites to final approval of the Company's request to the Issuer to finance the Project through the issuance of the Initial Bonds have been or will be met by the Company and the instruments and documents herein approved are in form and substance satisfactory to this Board of Directors.

Section 3. The Issuer, acting by and through this Board of Directors, hereby approves and authorizes the execution, delivery and acceptance of the Agreement, attached hereto and filed herewith as a part of the permanent records of the Issuer, and all other agreements, contracts and other documents required thereby to which the Issuer is a party.

Section 4. The form and content of the Closing Certificates and Opinions required by the Agreement may be in such form and content as the President or any officer of the Issuer and Bond Counsel may approve.

Section 5. The Issuer hereby authorizes and directs Bond Counsel to submit this Bond Resolution and all other necessary and appropriate documents to the governing body of the Unit and the Commission for their respective consideration and approval in accordance with the Act, and upon receipt of such approval, pursuant to the Agreement, the Issuer -

(a) authorizes the issuance of the Initial Bonds in accordance with the Agreement and directs the

authentication and delivery thereof to or upon the order of the Purchaser(s) or upon the conditions contained in the Agreement;

(b) authorizes the President or any officer of the Issuer to execute the written order required by Section 8.03 of the Agreement, directing the payments from the proceeds of the Initial Bonds of the fees, costs and expenses; and

(c) directs that the form of the Initial Bonds prescribed in the Agreement to be completed in such manner as will cause the Initial Bonds to conform to all provisions of the Agreement.

Section 6. (a) The President or Vice President (each as an authorized officer) and the Secretary or Assistant Secretary of the Issuer are hereby empowered to do all things necessary to

- (i) act on behalf of the Issuer in executing, delivering, and accepting the Initial Bonds and the agreements, contracts and other documents approved or authorized hereby and thereby,
- (ii) to close the delivery of the Initial Bonds as quickly as may be practicable hereafter, and
- (iii) carry out the terms and provisions thereof where applicable to the issuer when and as required in order to fulfill the intents and purposes thereof and this Bond Resolution.

(b) In the performance of this authority and directive either of such officers, with the concurrence of the Company and the Purchaser(s), is authorized, if requested by the Company and the Purchaser(s), to consent to changes or revisions, including changes or revisions in dates, in the provisions of the Initial Bonds and in the documents herein authorized and approved, including any required corresponding changes in the text of the redemption provisions for the Initial Bonds prescribed herein; provided that, no such change or revision shall increase the aggregate principal amount of the Initial Bonds, and as to other changes, such officers shall be advised by Bond Counsel that such changes or revisions do not place any burdens

or obligations on the Issuer which are contrary to the Act or any local regulations of the Issuer, and do not in the opinion of Purchaser(s) materially and adversely affect the legal security for the Initial Bonds as herein approved.

(c) Execution of such documents by either of such authorized officers shall be conclusive evidence of approval thereof in accordance with this Bond Resolution and the authority herein granted.

Section 7. This Bond Resolution and the approvals and authority herein granted shall be effective immediately.

ADOPTED this 10th day of December, 1984.

ATTEST:

Secretary

[SEAL]

CERTIFICATION

THE STATE OF TEXAS X
 X
COUNTY OF TYLER X

The attached copy of a Resolution adopted by the Board of Directors of the Industrial Financing Corporation of Tyler County, Texas at a meeting held on the 10th day of December, 1984, is hereby certified to be a true and correct copy of an official copy thereof on the file among the official records of such Corporation.

December, 1984. Witness my hand and seal of office this 10th day of

Secretary, Industrial Financing
Corporation of Tyler County,
Texas

MINUTES AND CERTIFICATION

THE STATE OF TEXAS X

VOL 009 PAGE 885

COUNTY OF TYLER X

On this the 10th day of December, 1984, the Commissioners' Court of Tyler County, Texas, convened in Regular Meeting at the regular meeting place thereof, the meeting being open to the public notice of such meeting, giving the date, place and subject thereof, having been posted or prescribed by Article 6252-17, V.A.T.C.S., and the roll was called of the duly constituted officers and members of the Commissioners' Court, which officers and members are as follows, to-wit:

Allen Sturrock
County Judge

Maxie L. Riley
Kenneth Lowe
Willis Graham ~~AG~~ Commissioners
James R. Jordan

Grace Bostick
County Clerk

and all of such persons were present, except the following absentees:

thus constituting a quorum. Whereupon, among other business, the following was transacted, to-wit: A written Order bearing the following caption was introduced:

An Order approving issuance by the Industrial Financing Corporation of Tyler County, Texas of an issue in the amount of \$4,000,000.00 of the Industrial Financing Corporation of Tyler County, Texas Industrial Development Revenue Bonds (E. & L. Lumber Co., Inc. Project) Series 1984; and approving the resolution of such corporation authorizing such Bonds, including the Bond Transaction Agreement

The Order, a full, true and correct copy of which is attached hereto, was read and reviewed by the Commissioners' Court.

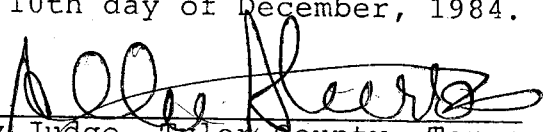
Upon motion duly made and seconded, the Order was finally passed and adopted by the following vote:

AYES:


NOES:

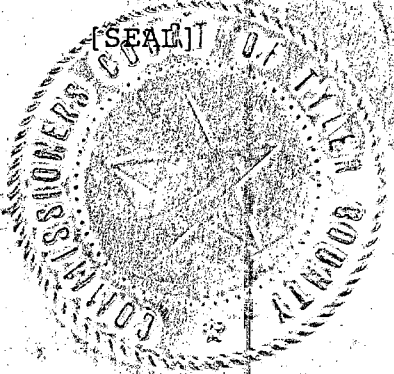
The County Judge then declared the Resolution passed and the County Judge and the Commissioners signed and approved the same.

MINUTES APPROVED AND CERTIFIED TO BE TRUE AND CORRECT and to reflect accurately the duly constituted officers and members of the Commissioners' Court of Tyler County, Texas, and the attached and following copy of such Resolution is hereby certified to be a true and correct copy of an official copy thereof on file among the official records of the County Commissioners' Court, all of this the 10th day of December, 1984.


County Judge, Tyler County, Texas

ATTEST:


County Clerk



IN THE COUNTY COMMISSIONERS' COURT
OF
TYLER COUNTY, TEXAS

AN ORDER APPROVING ISSUANCE BY THE INDUSTRIAL FINANCING CORPORATION OF TYLER COUNTY, TEXAS OF AN ISSUE IN THE AMOUNT OF \$4,000,000 OF THE INDUSTRIAL FINANCING CORPORATION OF TYLER COUNTY, TEXAS INDUSTRIAL DEVELOPMENT REVENUE BONDS (E. & L. LUMBER CO., INC. PROJECT) SERIES 1984; AND APPROVING THE RESOLUTION OF SUCH CORPORATION AUTHORIZING SUCH BONDS, INCLUDING THE BOND TRANSACTION AGREEMENT

WHEREAS, the County of Tyler, Texas (the "Unit") has approved and authorized the creation of the Industrial Financing Corporation of Tyler County, Texas (the "Corporation") as a Texas non-profit corporation, pursuant to the provisions of the Development Corporation Act of 1979 (the "Act"), to act on behalf of the Unit to promote and develop industrial and manufacturing enterprises; and

WHEREAS, the Corporation is authorized by the Act to issue its revenue bonds on behalf of the Unit for the purpose of paying all or part of the cost of a "project," as defined in the Act, and to loan the proceeds thereof to finance all or part of the costs thereof; and

WHEREAS, the Corporation by resolution (the "Bond Resolution") adopted December 10, 1984, has authorized the issuance and sale of an issue in the amount of \$4,000,000 of its Industrial Development Revenue Bonds (E. & L. Lumber Co., Inc. Project) Series 1984 and by the Bond Resolution has authorized a Bond Transaction Agreement; and

WHEREAS, the Act requires that the governing body of the Unit approve by written resolution any agreement to issue the bonds approved by the Corporation; and

WHEREAS, after review, the Board of Directors of the Unit, through the adoption of this resolution, hereby approves the Bond Resolution and all agreements referred to therein and makes the findings required by the Act in order to approve the Project;

NOW THEREFORE, BE IT ORDERED, ADJUDGED, DECREED AND RESOLVED BY THE COMMISSIONERS' COURT OF TYLER COUNTY, TEXAS:

Section 1. The Unit, acting through this Commissioners' Court, hereby approves the issuance of the Series 1984 Bonds and the Bond Resolution, together with the exhibits attached thereto and the agreements to issue bonds therein expressed, in the amounts and for the purposes therein described and referred to in the preambles hereof, in accordance with Section 25(f) of the Act, a copy of which is on file among the records of this meeting.

Section 2. This Order shall take effect immediately from and after its adoption.

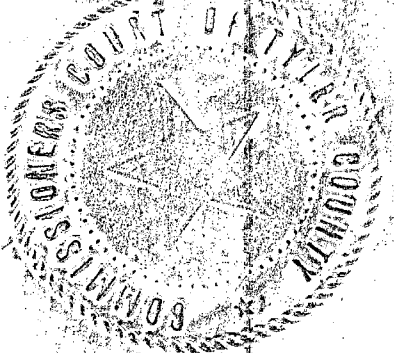
PASSED AND APPROVED this 10th day of December, 1984.

Allen Sturrock
Allen Sturrock
County Judge, Tyler County, Texas

ATTEST:

Grace Bastick
County Clerk

[SEAL]



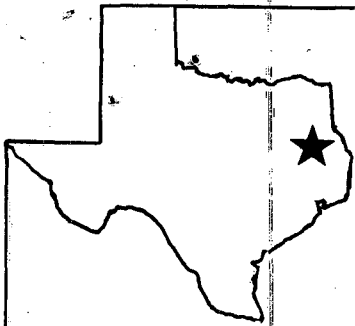
Maxie L. Riley
Maxie L. Riley, Commissioner

H. K. Lowe
Kenneth Lowe, Commissioner

Willis Graham
Willis Graham, Commissioner

James P. Jordan
James P. Jordan, Commissioner

*Rec 10
Carr*



**DEEP EAST TEXAS
COUNTY COMMISSIONERS &
COUNTY JUDGES ASSOCIATION**

November 26, 1984

VOL 009 PAGE 889

Tyler County Commissioners Court
C/O Judge Allen Sturrock
100 Courthouse
Woodville, Texas 75979

Dear Judge Sturrock and Commissioners Court:

As you are aware, I am currently serving as Chairman of the Deep East Texas County Commissioners and County Judges Association's Legislative Committee. On October 24, 1984, the full membership voted on its legislative priorities. They voted to support our aging programs by including the Texas Department on Aging's budget request as one of its priorities. In addition, the members voted to request that each Commissioners' Court pass a similar resolution of support and forward to their State Senators, Representatives and Governor White.

I have included a sample resolution for your information only. I especially appreciate your cooperation since I am most concerned about the lives of our Older Deep East Texans. I also serve as Chairman of the Deep East Texas Regional Aging Advisory Council. In that capacity, I am able to see first hand all of the good that is accomplished from these funds. Both, Martha Jones, Director of the Area Agency on Aging, and I want to thank you for all of the support you have given to these important programs.

I would like to invite you to visit with us at our next Advisory Council meeting. This will be a special Christmas Day and one that will focus on the legislative process. Several Legislators and State Officials will be present. The meeting will be held at the Angelina County Senior Center, 2801 Valley Avenue, Lufkin, Texas, at 1:00 p.m. on Friday, December 14th.

I would appreciate you sending a copy of your resolution along with a list of those persons that received a copy to: Martha Jones, Director of Area Agency on Aging, 274 East Lamar (2nd Floor), Jasper, Texas 75951.

If you have any questions, please do not hesitate to call on me or Martha. Thank you for your cooperation.

Sincerely,

Maxie Riley

Maxie Riley, Chairman
Legislative Committee

Attachment

THE STATE OF TEXAS

) (

COUNTY OF TYLER

) (

VOL 009 PAGE 890

RESOLUTION

The Commissioners Court of Tyler County, Texas, met on the 10th day of Nov, 1984, in the regular meeting place of said Court in the County Courthouse at Woodville, Texas, at which time the following resolution was unanimously adopted:

Be it hereby resolved that the County of Tyler, Texas, has identified a mutual regional problem and is seeking state legislative action to solve this problem. The Court hereby recommends that the State Legislature support the senior citizens programs and thereby support the Texas Department on Aging 's (Level 4) Budget Request.

It is recognized that this funding will help support and strengthen existing services to the elderly within our state and serves to protect this population with required staffing plans. We believe that in adopting this recommendation, adequate appropriation of funds will greatly aid in maintaining services, as well as provide expansion of services, to better serve the growing needs of our increasing elderly population.

PASSED AND APPROVED this the 10th day of Nov, 1984.

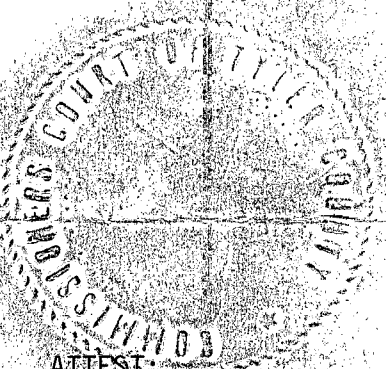
Allen Sturrock
Allen Sturrock, County Judge

Marie Riley
Commissioner - Precinct #1

H K Lauer
Commissioner - Precinct #2

Larry Mahan
Commissioner - Precinct #3

James R. Jordan
Commissioner - Precinct #4



Anare Bastick
County Clerk

Texas Department of Human Resources

P.O. Box 368, Woodville, Texas 75979 (409) 283-3765



COMMISSIONER
MARLIN W. JOHNSTON

BOARD MEMBERS
J. LIVINGSTON KOSBERG
Chairman, Houston
VICKI GARZA
Corpus Christi
THOMAS M. DUNNING
Dallas

December 6, 1984

VOL 009 PAGE 891

Judge Allen Sturrock
and Commissioners
Tyler County Courthouse
Woodville, Texas 75979

Gentlemen:

Christmas is with us once again. Please send to the following foster parents \$50.00 for each child. This is for spending money to allow these foster children to buy presents for family and friends this Christmas.

Thomas Lorenz age 12 male
Mary Lorenz age 11 female
Make payable to:
% Polly and Duvall Mixon
Rt. 1, Box 829
Coldspring, Texas 77331

Tammy Henry age 12 female
Rachel Henry age 10 female
Rebecca Henry age 10 female
Make payable to:
% Jeannette and Gordon Smith
Rt. 5 Box 272
Center, Texas 75935

The foster parents will be shopping December 10th thru the 14th for these children. Please send these checks to the foster parents as soon as possible.

I have already submitted receipts for Christmas Toys that have been purchased for these children to our Tyler County Child Welfare Board.

This additional \$50.00 will go a long way to help these children join in sharing gifts with friends and family.

Sincerely,


Melinda A. Stryker
Child Protective Specialist II

MAS/vr

cc: Bette J. Smith, Supervisor, Livingston, 212-1
Mr. and Mrs. Mixon, Rt. 1, Box 829, Coldspring
Mr. and Mrs. Smith, Rt. 5, Box 272, Center
Tyler County Child Welfare Board, % Jackie Hinson, Rm 100
Courthouse, Woodville

VOL 009 PAGE 892

Amounts Spent for Christmas by Tyler County Child Welfare Board:

(4) Henry Children - \$55.04 per child
(2) Lorenz Children - \$40.38 on one child
\$40.39 on the other child

\$300.93 total

In addition the following shoes were purchased for these children:

~~\$30.00~~ total spent for (3) Henry girls
\$57.00 total spent for (2) Lorenz children

The amount shown above was submitted to Commissioners Court to reimburse worker for these purchases on December 4, 1984.

ROUTING SLIP

VOL

009 PAGE 893

TO: Commissioner

MAIL CODE

<p>Please:</p> <p><input type="checkbox"/> Reply</p> <p><input type="checkbox"/> Approve/Sign</p> <p><input type="checkbox"/> See Me</p> <p><input type="checkbox"/> Handle</p>	<p><input type="checkbox"/> Interpret</p> <p><input type="checkbox"/> Comment/Suggest</p> <p><input type="checkbox"/> Investigate and Notify Me</p>	<p>For Your:</p> <p><input type="checkbox"/> Information</p> <p><input checked="" type="checkbox"/> Files</p> <p><input type="checkbox"/> Route</p> <p>Return to: _____</p>
---	---	---

COMMENTS: _____

FROM: Melinda Stuyker

MAIL CODE: 333-1 DATE: 12-6

TDHR Form 4774/5-78

Texas Department of Human Resources

P.O. Box 368, Woodville, Texas 75979 (409) 283-3765



COMMISSIONER
MARLIN W. JOHNSTON

BOARD MEMBERS
J. LIVINGSTON KOSBERG
Chairman, Houston
VICKI GARZA
Corpus Christi
THOMAS M. DUNNING
Dallas

December 6, 1984

VOL 009 PAGE 894

Judge Allen Sturrock
and Commissioners
Tyler County Courthouse
Woodville, Texas 75979

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Sincerely,

A handwritten signature in cursive script that reads "Melinda A. Stryker".

Melinda A. Stryker
Child Protective Specialist II

MAS/vr

cc: Bette J. Smith, Supervisor, Livingston, 212-1
Mr. and Mrs. Mixon, Rt. 1, Box 829, Coldspring
Mr. and Mrs. Smith, Rt. 5, Box 272, Center
Tyler County Child Welfare Board, % Jackie Hinson, Rm 100
Courthouse, Woodville

VOL 009 PAGE 895

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Texas Department of Human Resources

P.O. Box 368, Woodville, Texas 75979 (409) 283-3765



COMMISSIONER
MARLIN W. JOHNSTON

BOARD MEMBERS
J. LIVINGSTON KOSBERG
Chairman, Houston

VICKI GARZA
Corpus Christi

THOMAS M. DUNNING
Dallas

December 6, 1984

VOL 009 PAGE 896

Judge Allen Sturrock
and Commissioners
Tyler County Courthouse
Woodville, Texas 75979

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Tyler County Child Welfare Board, % Jackie Hinson, Rm 100
Courthouse, Woodville

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TEXAS DEPARTMENT OF HUMAN RESOURCES
P.O. Box 368
Woodville, Texas 75979

VOL 009 PAGE 898

Judge Allen Sturrock
and Commissioners
Tyler County Courthouse
Woodville, Texas 75979

Put on a quidday for Monday 10/11
~~11/11~~



The State of Texas

Secretary of State

VOL 009 PAGE 899

CERTIFICATE OF INCORPORATION

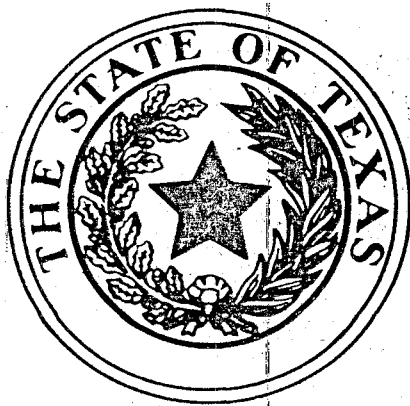
OF

WARREN COMMUNITY VOLUNTEER FIRE DEPARTMENT
CHARTER NUMBER 717560

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT ARTICLES OF INCORPORATION FOR THE ABOVE
CORPORATION, DOLY SIGNED AND VERIFIED HAVE BEEN RECEIVED IN THIS
OFFICE AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SUCH SECRETARY OF STATE, AND BY
VIRTUE OF THE AUTHORITY VESTED IN HIM BY LAW, HEREBY ISSUES THIS
CERTIFICATE OF INCORPORATION AND ATTACHES HERETO A COPY OF THE
ARTICLES OF INCORPORATION.

OCT 21, 1984



Assistant Secretary of State

Secretary of State

THIS INSTRUMENT WAS RECEIVED FOR
RECORDING IN OUR OFFICE IN THIS CONDITION

LEASE AGREEMENT

THE STATE OF TEXAS §
COUNTY OF TYLER §

VOL 009 PAGE 900

THIS AGREEMENT, made and entered into this _____ day of _____, 19 _____, by and between the COUNTY OF TYLER, STATE OF TEXAS, a political subdivision of the State of Texas, hereinafter called "Lessor", and CHEM-AIR SOUTH, INC., a Louisiana Corporation, P.O. Box 7241 Shreveport, Louisiana, 71103, hereinafter called "Lessee".

WITNESSETH:

That the Lessor does hereby lease, demise and let unto the Lessee the following described premises:

(See Exhibit "A" Attached)

which premises are located in Tyler County, Texas, and are a portion of the property owned by Lessor described on Exhibit "A" attached hereto and hereby incorporated by this reference.

The term of this lease is for five months and nineteen (19) days, running from and including the 1st day of July, 19 84, up to and including the 30th day of June 19 85, unless sooner terminated as herein provided. Lessor shall have option to extend lease for five years at same price per year.

The Lessee to have the exclusive right to the possession of the leased premises during the term hereof and may make such excavations and lay such foundations as may be necessary for buildings, trailers, fuel tanks, machinery and fixtures, and roads or roadways when and if necessary.

During the initial lease period of this lease, Lessee shall pay as base rent to Lessor the sum of THREE HUNDRED AND NO/100 (\$300.00) DOLLARS, payable in advance on the execution of this agreement.

It is understood and agreed by the parties herein that the land herein involved is to be used as a materials storage site, to include storage of trucks, trailers, parts, spray materials, and

the location of offices for Lessee in Tyler County, Texas, Lessee agrees to construct adequate fences surrounding the portion of the leased premises to be used for the storage of chemical spray materials so as to prevent access to such area by the general public.

Lessee may not assign this lease or any part thereof without the prior written permission of Lessor. Lessee may sublet the premises, or any part thereof, provided that Lessee shall, at all times, remain primarily responsible to Lessor for the payment of rentals due hereunder and the performance of all the terms and conditions hereof. No subletting shall, in any manner, be for any term greater than that granted Lessee herein.

Lessee accepts the premises in its present condition and subject to any and all defects, whether patent or latent, known or unknown. Lessee agrees to keep, defend and hold Lessor harmless from any liability or claim for damages or loss to persons or property both real or asserted, accruing from any cause or causes in, on or connected with or about the leased premises, or arising out of Lessee's occupancy of said premises, including, but not limited to, claims by Lessee, its customers, its employees or other.

Lessee agrees to procure and maintain a policy or policies of insurance at its own cost and expense, insuring Lessor and Lessee from all claims, demands or action for injury to or death of any one person in an amount of not less than \$100,000.00, and for injury to or death of more than one person in any one accident to the limit of \$300,000.00, and for damage to property in an amount of not less than \$50,000.00 made by or on behalf of any person or persons, firm or corporation arising from, related to or connected with the conduct and operation of Lessee's business on the leased premises. Lessor shall pay at its expense all ad valorem taxes, if any, on the leased premises. Lessee shall pay at its expense all personal property tax levied upon the personal property on the demised premises during the term of this lease, or any extension thereof.

It is understood and agreed that the leased premises, during the term hereof and any extensions thereof, may be used and occupied by Lessee as a material storage site and for all other legal, commercial business operations conducted in connection therewith. Lessee agrees that in the conduct of its business it will abide by all state and federal laws.

Lessee agrees to be responsible, at Lessee's cost and expense during the term of this lease and any extensions thereof, for keeping the leased premises free of all weeds to the extent necessary or required to comply with all health and environmental requirements, and shall keep the leased premises mowed at all times. In the event Lessee fails to properly keep the leased premises in a condition meeting all health and environmental requirements, Lessor may do so at Lessee's expense, and Lessee shall reimburse Lessor for the cost thereof. Lessee will surrender the leased premises at the expiration or termination of this lease free and clear of litter and trash, and further agrees to remove all buildings, trailers, tanks, and other materials used by Lessee in the operation of its business.

Lessee shall provide and pay for all utilities to the leased premises, including, but not limited to, gas, water and electricity, if any be necessary.

Lessee may place or install on the leased premises such trade fixtures and equipment as Lessee shall deem desirable for the conduct of business therein. Upon the expiration of this lease, Lessee may remove from the leased premises all such equipment, fixtures and merchandise, except chain link fence surrounding leased area, provided Lessee is not then in default with respect to any of Lessee's rental obligations or other obligations hereunder, and provided further that such removal shall be performed in a workmanlike manner, leaving the premises in good condition.

All rent, reports and notices shall be given either to Lessor or to Lessee in writing delivered by mail or in person. Notices, if given by mail, shall be sent by Registered or Certified Mail, postage prepaid. If to Lessor, they shall be addressed to Lessor,

THIS INSTRUMENT WAS RECEIVED FOR
RECORDING IN OUR OFFICE IN THIS CONDITION

Honorable Allen Sturrock, Tyler County Courthouse, Woodville, Texas 75979, or such other address as Lessor may, from time to time, designate by written notice to Lessee. If to Lessee, they shall be addressed to lessee at P.O. Box 7241, Shreveport, Louisiana, 71107, or such other address as Lessee may, from time to time, designate by written notice to Lessor.

It is expressly agreed and understood that in the event Lessee (1) shall fail to pay any annual rent herein provided for when it shall mature and become due and payable, or (2) shall fail for thirty (30) days to do and perform any other act, obligation or thing herein agreed by Lessee to be done and performed by Lessee, then Lessor may, at Lessors' option, declare this lease terminated, and upon giving written notice to Lessee of such election, as herein provided, this lease shall thereupon cease and terminate as fully, finally and completely as if it had expired by lapse of time, and Lessee shall thereupon surrender and deliver said premises to Lessor, paying Lessor any accrued rentals, damages or amounts otherwise then due. Thereafter, all rights and claims of Lessee in and to the use and enjoyment of such premises shall cease.

If the Lessee is adjudicated as bankrupt, or if a permanent receiver is appointed for any of Lessee's property, including any of Lessee's interest in the premises, and such receiver is not removed within sixty (60) days after written notice from the Lessor to the Lessee to obtain such removal; or if, whether voluntary or involuntary, Lessee takes advantage of any debtor or relief proceedings under any present or future law, whereby the rent or any part thereof is, or is proposed to be, reduced or payment thereof deferred or if the premises of Lessees' effects or interest therein shall be levied upon or attached under any process against Lessee, and not satisfied or dissolved within thirty (30) days after notice from the Lessor to the Lessee to obtain satisfaction thereof; then, in any of such events, the Lessor, at Lessors' option, may at once, during continuance of such default or condition, terminate this lease by written notice

to the Lessee, whereupon, this lease shall end and be terminated. Should this lease be terminated by reason of the foregoing, the premises will be surrendered immediately by the Lessee, and upon failure to surrender the premises to Lessor, Lessor shall have the accumulative privilege of pursuing any remedy provided by law for obtaining possession of the premises as if the terminated Lessee were holding over beyond the term and/or for failure to pay rent, and the Lessor shall be entitled to recover any reasonable attorney's fees and costs incurred in connection therewith. The foregoing shall be without prejudice to any remedies which might otherwise be used for the collection of arrearages in rent or curing breaches or covenants contained herein.

It is specifically understood and agreed by the parties this lease will terminate on the last day of the term hereinbefore set forth without notice from either party to the other. Accordingly, in the event the Lessee remains in possession of the premises after the expiration of this lease or any extensions thereof, the Lessee shall be in wrongful possession of the premises and a trespasser and the Lessor shall have the right any time thereafter to evict the Lessee from the premises and remove Lessee and Lessee's property from the premises, and take any other action available to Lessor at law or equity to regain possession of the premises, and Lessee shall be obligated to pay to Lessor all expenses incurred by Lessor in connection with any such eviction or other action, including reasonable attorney's fees. Further, Lessee will be liable for any other damages which Lessor may sustain resulting from Lessee's wrongful possession, including reasonable attorney's fees Lessor may sustain in connection with any suit brought by Lessor against Lessee resulting from any other such damages. However, Lessor grants Lessee an option to renew this lease for a period of one (1) year after the expiration of its original terms, on the same terms as this lease, except that the extension will be subject to increase in additional rent. Lessee shall give Lessor written notice of its intention to

renew at least sixty (60) days prior to the expiration of this lease.

MISCELLANEOUS PROVISIONS

A. WAIVER: Waiver or failure on the part of the Lessor to complain of any action or inaction on the part of the Lessee, no matter how long the same may continue, shall never be deemed to be a waiver by the Lessor of any of Lessors' rights hereunder. Further, it is covenanted and agreed that no waiver at any time of the provisions hereof by the Lessor shall be construed as a waiver of any of the other provisions hereunder, and that a waiver at any time of any of the provisions hereof shall not be construed as a waiver at any subsequent time of the same provisions. The consent of approval by the Lessor to or for any action by the Lessee requiring Lessors' consent of approval shall not be presumed as approval or consent for any subsequent similar act by the Lessee.

B. GOVERNING LAW: This lease shall be governed exclusively by the provisions hereof and by the laws of the State of Texas, as the same may, from time to time, exist. Moreover, this lease is to be performed at, and all rentals due and payable in Tyler County, Texas, where exclusive venue shall lie for all purposes.

The terms and conditions of this lease shall be binding upon and inure to the benefit of the parties hereto and their heirs, devisees, legal representatives, successors and assigns.

In witness whereof, the parties hereto have hereunto set their hands on this the 10th day of December, 1984.

CHEM-AIR SOUTH, INC.

COUNTY OF TYLER, STATE OF TEXAS

BY: _____
Vice-president

BY: [Signature]
HONORABLE ALLEN STURROCK,
County Judge

[Signature]
MAXIE RILEY, Commissioner

[Signature]
JERRY MAHAN, Commissioner

[Signature]
KENNETH LOWE, Commissioner

[Signature]
JAMES R. JORDAN, Commissioner

THE STATE OF TEXAS §
COUNTY OF TYLER §

VOL 009 PAGE 906

BEFORE ME, the undersigned authority, on this day personally appeared KENNETH LOWE, commissioner, 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 and in the capacity therein stated.

Given under my hand and seal of office on this the 10th day of December, A.D. 19 84.

June Maxey
NOTARY PUBLIC IN AND FOR
TYLER COUNTY, TEXAS
My Commission Expires: 5/12/85
Name: WANE MAXEY
(Typed or printed)

THE STATE OF TEXAS §
COUNTY OF TYLER §

BEFORE ME, the undersigned authority, on this day personally appeared KENNETH LOWE, commissioner, 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 and in the capacity therein stated.

Given under my hand and seal of office on this the _____ day of _____, A.D. 19 _____.

NOTARY PUBLIC IN AND FOR
TYLER COUNTY, TEXAS
My Commission Expires: _____
Name: _____
(Typed or printed)

THE STATE OF TEXAS §

COUNTY OF TYLER §

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BEFORE ME, the undersigned authority, on this day personally appeared MAXIE RILEY, Commissioner, 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 and in the capacity therein stated.

Given under my hand and seal of office on this the 10th day of December, A.D. 1984.

Jane Maxey
NOTARY PUBLIC IN AND FOR
TYLER COUNTY, TEXAS
My Commission Expires: 5/12/85
Name: JANE MAXEY
(Typed or printed)

THE STATE OF TEXAS §

COUNTY OF TYLER §

BEFORE ME, the undersigned authority, on this day personally appeared JERRY MAHAN, Commissioner, 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 and in the capacity therein stated.

Given under my hand and seal of office on this the 10th day of December, A.D. 1984.

Jane Maxey
NOTARY PUBLIC IN AND FOR
TYLER COUNTY, TEXAS
My Commission Expires: 5/12/85
Name: JANE MAXEY
(Typed or printed)

THE STATE OF TEXAS §

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COUNTY OF TYLER §

BEFORE ME, the undersigned authority, on this day personally appeared DAVID SERMONS, vice-President of CHEM-AIR SOUTH, INC. a corporation, 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, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the 10th day of December, A.D. 1984.

June Maxey
NOTARY PUBLIC IN AND FOR
TYLER COUNTY, TEXAS

My Commission Expires: 5/12/85
Name: JUNE MAXEY
(Typed or printed)

THE STATE OF TEXAS §

COUNTY OF TYLER §

BEFORE ME, the undersigned authority, on this day personally appeared HONORABLE ALLEN STURROCK, County Judge, known to me to be the person whose name is subscribed in the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office on this the 10th day of December, A.D. 1984.

June Maxey
NOTARY PUBLIC IN AND FOR
TYLER COUNTY, TEXAS

My Commission Expires: 5/12/85
Name: JUNE MAXEY
(Typed or printed)

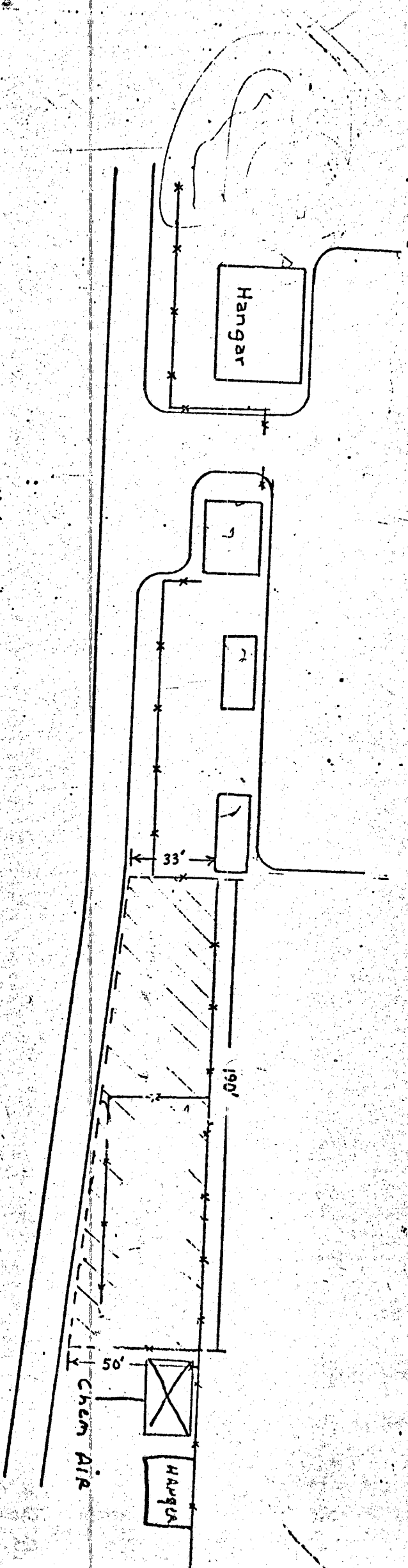


EXHIBIT "A"
PAGE ONE OF TWO PAGES

BEING out of the James Blunt Survey, Abstract No. 7, Tyler County, Texas, and a portion of said tract of land described in Deed from International Paper Company to County of Tyler, State of Texas, dated April 5, 1960, recorded in Volume 177, Page 408, et seq., and a Correction Deed dated August 2, 1960, recorded in Volume 179, Page 541, et seq., Deed Records of Tyler County, Texas, reference being here made for a more particular description, said leased premeise being more fully described on the attached plat.