

FILED FOR RECORD: 8-27- 1985 at 4:00 o'clock P M
DULY RECORDED: 8-29- 1985 at 9:00 o'clock A M
INSTRUMENT NO. _____ GRACE BOSTICK, TYLER CO. CLERK
Donece Gregory BY: Donece Gregory Deputy

TYLER COUNTY COMMISSIONERS COURT
SPECIAL MEETING
JULY 31, 1985---10:00 A. M.

VOL 010 PAGE 677

A Special Meeting of the Commissioner's Court was held on Wednesday, July 31, 1985, at 10:00 A. M. All members being present except Commissioner Riley. The meeting was opened with prayer by Commissioner James R. Jordan.

Tony Byars, Superintendent of the Alabama-Coushatta Indian Reservation, and Morris Bullock, Tribal Council Chairman, met with Commissioner's Court, to ask for the Court's Support of House Resolution #1344, introduced by Congressman Charles Wilson, to restore the trust relationship between the United States and Alabama-Coushatta Tribe. After both representatives had given their talks on the subject, a motion was made by Commissioner Jordan and seconded by Commissioner Lowe to approve the Resolution lending support for House Resolution #1344. All voted yes and none no. See Attached.

County Auditor Ann Fondren appeared before the Court to discuss the matter of the Credit Union Loan Records, stating that the problems existing had been resolved. No action was taken by the Court.

A motion was made by Commissioner Lowe and seconded by Commissioner Graham to adopt a Resolution setting a penalty of 15 per cent on all Delinquent Taxes due the County. All voted yes and none no. See Attached.

A motion was made by Commissioner Graham and seconded by Commissioner Lowe to approve the Amendment of Contract with Mark L. Sax, Attorney at Law; concerning the collection of delinquent taxes. The original contract was made between Mr. C. L. Kennedy, Auditor, and the County, but since it is necessary for an Attorney to handle such matters in case of a law suit being filed concerning delinquent taxes, it was necessary to take such action at this time. All voted yes and none no. See Attached.

A motion was made by Commissioner Lowe and seconded by Commissioner Graham to approve the Contract with Western Data, Inc., for compiling a Delinquent Tax Record for Tyler County, pending an agreement for further changes; changes including a completion date/delivery, tape requested, and change the delinquent tax record from 1964-1984 to 1939-1984. All voted yes and none no. See Attached.

There being no further business, the meeting adjourned.

SIGNED: Allen Sturrock Allen Sturrock, County Judge

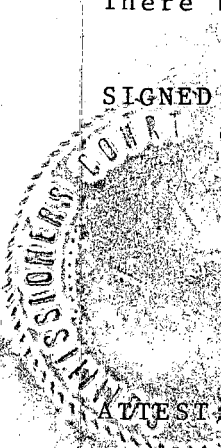
Maxie Riley Maxie Riley, Comm. Pct. #1

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

Willis Graham Willis Graham, Comm. Pct. #3

James R. Jordan James R. Jordan, Comm. Pct. #4

ATTEST: Grace Bostick Grace Bostick, County Clerk



WHEREAS, the Alabama and Coushatta Tribes have occupied the lands of the Big Thicket in Texas since the late eighteenth century; and

WHEREAS, Chief Colita was a staunch friend of Sam Houston during the Texas Revolution and the Tribes rendered invaluable assistance to the Republic and to the State of Texas; and

WHEREAS, the State of Texas has enjoyed a rich and continuous relationship with the Tribe dating from the days of the Texas Republic; and

WHEREAS, several eighteenth and nineteenth century tribal village sites, including Peach Tree Village, Cane Island Village and Fenced-In Village, are located in Tyler County; and

WHEREAS, in 1854 the State of Texas purchased a Reservation as a home for the Tribe in neighboring Polk County, Texas, and the Tribe has since resided on that Reservation; and

WHEREAS, the friendship and cooperation of the Alabama-Coushatta Indian Tribe has been valued by the citizens of Tyler County and the State of Texas since the days of Sam Houston; and

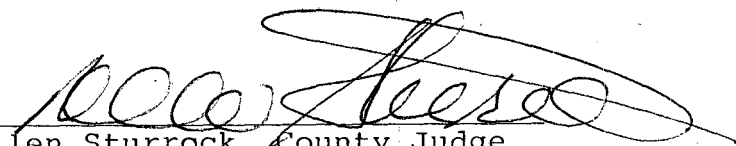
WHEREAS, it appears to this Commissioners' Court that the long-term security of the Tribe and its Reservation is jeopardized by the lack of permanent protections that are afforded to most other Indian Tribes by the provisions of federal law, as well as by recent actions of the Texas State Legislature, the Texas Attorney General and other state agencies which have resulted in State funds to the Reservation being cut off and Reservation resources being taxed for the first time in the history of the Reservation; and

WHEREAS, as a result of these recent actions it appears that the State of Texas may be renouncing both its historical protective relationship with the Tribe as well as the commitments made to the United States Congress in 1954 that it would assume the federal government's trust responsibilities to the Tribe; and

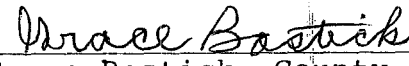
WHEREAS, the Alabama-Coushatta Tribe would benefit from the protection and services accorded to Indian Tribes by the Federal Government;

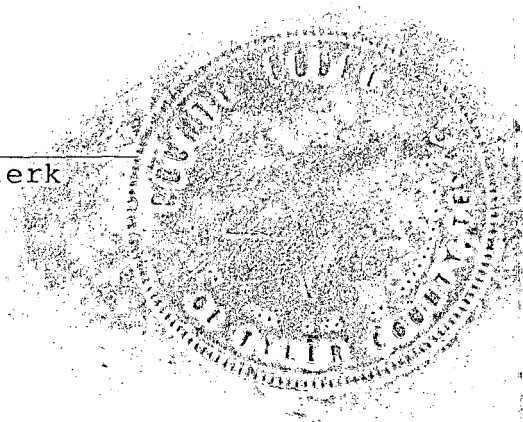
NOW, THEREFORE, BE IT RESOLVED, that the Commissioners' Court of Tyler County, Texas, does hereby endorse the passage of H.R. 1344, introduced by Congressman Charles Wilson, to restore the trust relationship between the United States and the Alabama-Coushatta Tribe.

ENACTED this 3rd day of July, 1985, by Tyler County Commissioners Court in Regular Session


Allen Sturrock, County Judge

Attest:


Grace Bostick, County Clerk



RESOLUTION

WHEREAS, the Alabama and Coushatta Tribes have occupied the lands of the Big Thicket in Texas since the late eighteenth century; and

WHEREAS, Chief Colita was a staunch friend of Sam Houston during the Texas Revolution and the Tribes rendered invaluable assistance to the Republic and to the State of Texas; and

WHEREAS, the State of Texas has enjoyed a rich and continuous relationship with the Tribe dating from the days of the Texas Republic; and

WHEREAS, several eighteenth and nineteenth century tribal village sites, including Peach Tree Village, Cane Island Village and Fenced-In Village, are located in Tyler County; and

WHEREAS, in 1854 the State of Texas purchased a Reservation as a home for the Tribe in neighboring Polk County, Texas, and the Tribe has since resided on that Reservation; and

WHEREAS, the friendship and cooperation of the Alabama-Coushatta Indian Tribe has been valued by the citizens of Tyler County and the State of Texas since the days of Sam Houston; and

WHEREAS, it appears to this Commissioners' Court that the long-term security of the Tribe and its Reservation is jeopardized by the lack of permanent protections that are afforded to most other Indian Tribes by the provisions of federal law, as well as by recent actions of the Texas State Legislature, the Texas Attorney General and other state agencies which have resulted in State funds to the Reservation being cut off and Reservation resources being taxed for the first time in the history of the Reservation; and

WHEREAS, as a result of these recent actions it appears that the State of Texas may be renouncing both its historical protective relationship with the Tribe as well as the commitments made to the United States Congress in 1954 that it would assume the federal government's trust responsibilities to the Tribe; and

WHEREAS, the Alabama-Coushatta Tribe would benefit from the protection and services accorded to Indian Tribes by the Federal Government;

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners' Court of Tyler County, Texas, does hereby endorse the passage of H.R. 1344, introduced by Congressman Charles Wilson, to restore the trust relationship between the United States and the Alabama-Coushatta Tribe.

ENACTED this 31st day of July, 1985.

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, located at Woodville, Texas, Tyler County, Texas, herein referred to as client, hereby retains The Law Offices of Mark L. Sax, 2925 Briarpark, Suite 650, Houston, Texas 77042 in the handling, trial or settlement of any claim the client may have against any property owner for delinquent taxes due Tyler County and for all delinquent taxes beginning January 1, 1964 through June 30, 1985, including penalty, interest, and costs with full power and authority to appear on behalf of the client in any Court of record, administrative proceedings or any other proceeding whatsoever, and to do and perform all and every act and thing whatsoever that may be required and necessary to be done therein as fully as the client might or could do if personally present; hereby ratifying and confirming all that the Law Offices of Mark L. Sax shall lawfully do or cause to be done therein by virtue of these presents.

1. The client agrees that the Law Offices of Mark L. Sax shall receive in full payment for such professional services, FIFTEEN (15%) PERCENT of the amount recovered by settlement before suit, or FIFTEEN (15%) PERCENT of the amount recovered after institution of suit, plus costs and disbursements.
2. The client agrees that the effective date of this agreement is June 10, 1985.
3. The client agrees that payment to the Law Offices of Mark L. Sax for professional services set out in (1) above will be made on the 10th day of the month following the month in which the collections are made.
4. The client agrees that the delinquent tax rolls will indicate the true owner of the property; and if same is not correct and the client desires to locate the owner of the property, the Law Offices of Mark L. Sax will undertake to locate the true owner of the property for an additional fee subject to approval by the Court, which fees shall be added as expenses to the lawsuit seeking delinquent taxes. The Law Offices of Mark L. Sax will hold the County of Tyler harmless for any and all liability as a result of any errors or omissions made by the Law Offices of Mark L. Sax.
5. If in the course of rendering the services set out herein, any conditions, situations, or circumstances should be encountered that seem to warrant special attention, investigation, etc., the same shall be taken up with the Commissioner's Court of the County, and in case it should be decided to investigate, the same shall be done as an extra service. No such extra service shall be performed except upon the written authorization of the Commissioner's Court and the consideration to be paid therefore shall be agreed upon at the time of the authorization.

IN WITNESS WHEREOF, this instrument has been signed and sealed this 31
day of ~~June~~^{July}, 1985.

COMMISSIONERS COURT OF TYLER COUNTY

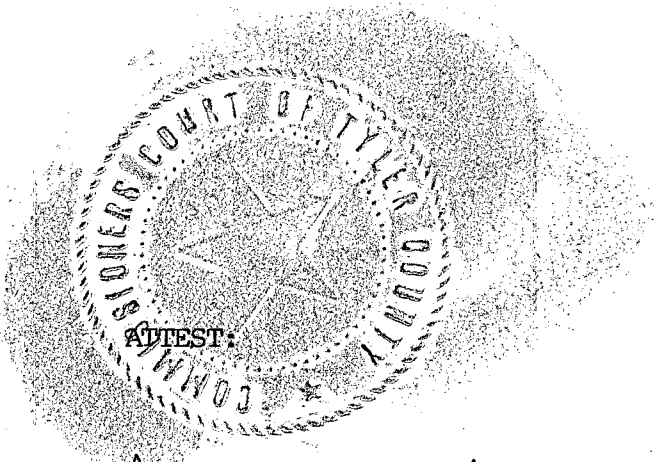
M. C. Reese
COUNTY JUDGE

Masie Shiley
COMMISSIONER, PRECINCT 1

H. K. Howell
COMMISSIONER, PRECINCT 2

Willis Graham
COMMISSIONER, PRECINCT 3

James R. Jordan
COMMISSIONER, PRECINCT 4



Grace Bastick
Clerk of the County Court and
Ex-Office Clerk of the Commissioners
Court of Tyler County, Texas

ACCEPTED:

THE LAW OFFICES OF MARK L. SAX

By: *Mark L. Sax*
MARK L. SAX
TBA # 17694800
2925 Briarpark, Suite 650
Houston, Texas 77042
(713) 782-8555

CONTRACT FOR COMPILING A DELINQUENT TAX RECORD
FOR TYLER COUNTY

THE STATE OF TEXAS

COUNTY OF TYLER

WHEREAS, Section 33.03 of the Property Tax Code requires that the Tax Assessor-Collector compile a Delinquent Tax Record; and,

WHEREAS, Section 33.03 further requires that the Delinquent Tax Record be compiled each year; and,

WHEREAS, the Assessor-Collector of Taxes for Tyler County deems it necessary and expedient to contract with a competent firm to compile said delinquent tax record and,

WHEREAS, Western Data Services, Inc., with its principal office in Waxahachie, Texas, is engaged in and now does such work and represents that it is fully equipped, competent and capable of performing the above desired work and is willing and ready to perform said work in accordance with the provisions of law, and the suggestions of the Assessor-Collector of Taxes for Tyler County; and,

WHEREAS, after having made careful investigation of Western Data Services, Inc., and having considered the same, the Assessor-Collector of Taxes for Tyler County, desires to enter into contract with the said Western Data Services, Inc., for compiling a delinquent tax record for the years 1965 to 1984, both inclusive.

NOW THEREFORE, this contract made and entered into by and between Barbara Tolbert Tax Assessor-Collector of Taxes for Tyler County hereinafter called "Collector" and Western Data Services, Inc., hereinafter called "Contractor".

WITNESSETH:

-1-

Collector agrees to employ and does hereby employ Contractor to compile a delinquent tax record for Tyler County, for the years 1965 to 1984, both inclusive, showing all the unredeemed, uncanceled delinquent taxes remaining charged on the official delinquent tax records and delinquent lists of Tyler County for said years.

-2-

The general arrangement and set up of the record shall be made as required by law, and suggestions of Collector. The record shall be bound as directed by the Collector. The expense for binding the two copies of the record to be delivered to Tyler County shall be paid for by Tyler County in addition to the compensation paid to Contractor for compiling the record.

-3-

Contractor will report any errors in description or other discrepancies found during the compilation of the record to the Collector and will do everything possible to insure accuracy of said record but will not be held responsible for any loss of tax revenue caused by compiling errors.

-4-

Collector agrees to give to Contractor full and complete cooperation during the progress of the work contemplated herein and to make available the Contractor such data and information concerning the records of his office as may be found necessary, and to allow Contractor full and free access to the records of the tax office. Should it become necessary, the Collector agrees to allow Contractor to have the County records in Contractors office for a period not to exceed forty eight hours.

-5-

Collector agrees to furnish contractor space for the performance of that portion of the work under this contract which must be performed in the office of the Collector.

-6-

This contract shall apply to and bind Collector and his successors in office and shall apply to and bind Contractor, its successors, assigns and legal representatives.

-7-

Collector agrees to give expeditious attention to examination and approval of the record and to pay in full to Contractor upon completion and delivery of the delinquent tax record, the total sum for said record; to-wit: Twenty-five (25) Cents per item shown on the original copy of the record.

-8-

Contractor agrees and binds, itself that for and in consideration of the price stated herein to do, at its own proper cost and expense, all the work necessary, to furnish all the supplies, materials and equipment required to compile the delinquent tax record for Tyler County for the years 1965 to 1984, both inclusive.

-9-

Contractor agrees to compile a Delinquent tax roll with an estimated 40,000 items @ \$.25 per item \$10,000.00

-10-

Contractor agrees to furnish the collector with the Delinquent Tax Records on magnetic tape when requested by the collector for a cost of Fifty Dollars (\$50.00).

IN TESTIMONY WHEREOF, this contract is executed in triplicate originals this the 17 day of Sept, 1985.

(Seal)

Barbara Jalhut

TAX ASSESSOR-COLLECTOR
TYLER COUNTY

Leslie J. Silva

WESTERN DATA SERVICES, INC.

OK by Court
lf
1. Finish by 30, Sept 85
2. Go back to 1939 on Delinquent Tax Roll
3. Order Tape

September 4, 1985

Mrs. Barbara Tolbert
Tax Assessor - Collector
TYLER COUNTY
Woodville, Texas 75979

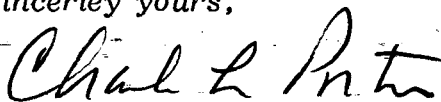
Dear Barbara:

With reference to our visit concerning the compilation of your Delinquent Tax Record for the year 1939 to 1984, I would like to offer the following for your consideration.

1. Western Data Services, Inc. will compile the above mentioned record for twenty-five cents (\$.25) per item. Estimated 72,500 items @ \$.25 is \$18,125.00.
2. After compiling the record, Western Data will make the record available on-line for up-dating payments, statements and tax certificates. The charge for this will be \$600.00 per month and will also include the delinquent monthly reports, and a new DTR roll each year.
3. A tape of Delinquent Accounts may be purchased for \$50.00.
4. The earliest estimate of completion of the rolls is January 31, 1986 or as soon there after as possible.

Thanks for your continued support of our company and if we can be of service please let me know.

Sincerley yours,



Charles L. Porter
Senior Vice President

CLP/sg

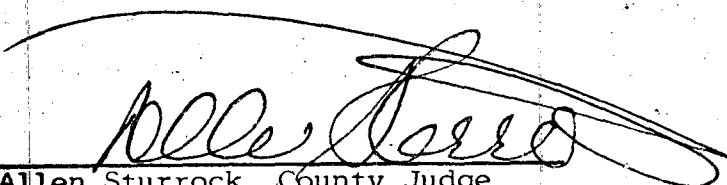
NOTICE OF TIME AND PLACE OF MEETING
COMMISSIONER'S COURT
TYLER COUNTY, TEXAS

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

Notice is hereby given that Commissioners Court will hold it's Special meeting on ~~Monday~~ Wednesday, July 31, 19 85 at 10:00 A. M. in the Commissioners Courtroom, First Floor, Tyler County Courthouse.

A G E N D A

1. APPROVE CONTRACT WITH WESTERN DATA ON DELINQUENT TAX ROLL.
2. APPROVE AMENDMENT OF CONTRACT WITH MARK SAX ON DELINQUENT TAXES.
3. RESOLUTION SETTING PENALTY FOR DELINQUENT TAXES.
4. RESOLUTION ON H.R. 1344 CONCERNING INDIAN RESERVATION.
5. DISCUSS CREDIT UNION LOAN RECORDS. (tabled).


Allen Sturrock, County Judge
Tyler County, Texas

NO. _____ TIME: 2:20 PM

JUL 9 1985

GRACE POSTICK, COUNTY CLERK
TYLER COUNTY, TEXAS

BY: 