

42.

ORDER OF COUNTY BOARD OF SCHOOL TRUSTEES
OF UPSHUR COUNTY, TEXAS, RELATING TO EAST
MOUNTAIN COMMON SCHOOL DISTRICT NO. 31 OF
UPSHUR COUNTY, TEXAS, DECLARING CONSOLIDATIONS
WITH GLENWOOD COMMON SCHOOL DISTRICT NO. 21,
UPSHUR COUNTY, TEXAS, AND BETHLEHEM COMMON
SCHOOL DISTRICT NO. 20, UPSHUR COUNTY, TEXAS,
NAMING SAID DISTRICT AND NAMING TRUSTEES FOR
SUCH CONSOLIDATED DISTRICT

THE STATE OF TEXAS |
COUNTY OF UPSHUR |

ON THIS, the 3rd day of August, 1957, the County Board
of School Trustees of Upshur County, Texas, duly convened in re-
gular session at the regular meeting place of said Board, with
the following members present and in attendance, to-wit:

Jay Spencer	CHAIRMAN,
Feddie Hart)	
J. B. Hagler)	
Aubrey Williams)	TRUSTEES,
Jack Baird)	

and with the following absent: None,
constituting a quorum, and with Jesse Denson, County Superintendent
and Ex-officio Secretary of said Board also present and in attend-
ance, when among other proceedings had by said Board were the
following;

The Chairman placed before the Board the following order re-
lating to EAST MOUNTAIN COMMON SCHOOL DISTRICT NO. 31 OF Upshur
County, Texas, declaring consolidations with Glenwood Common School
District No. 21, Upshur County, Texas, and Bethlehem Common School
District No. 20, Upshur County, Texas, naming said District and
naming trustees for such consolidated District:

WHEREAS, heretofore, to-wit: as the result of an election
held on April 30, 1955, the Glenwood Common School District No. 21

43.

of Upshur County, Texas, was consolidated with East Mountain Common School District No. 31 of Upshur County, Texas, and the result of said election being officially declared by the Mandate of the Supreme Court of Texas, dated May 15, 1957, in Cause No. A-6104 in the Supreme Court of Texas, the same cause being Cause No. 11,407 in the District Court of Upshur County, Texas, and which said Mandate of the Supreme Court of Texas is recorded in Volume _____, Page _____ of the Minutes of the County Board of School Trustees of Upshur County, Texas;

And whereas as the result of an election held on July 20, 1957, the Bethlehem Common School District No. 20 of Upshur County, Texas, was consolidated with East Mountain Common School District No. 31 of Upshur County, Texas, as said district existed after the above consolidation with Glenwood Common School District, the result of said election held on July 20, 1957, being officially cavassed by the Commissioners Court of Upshur County, Texas, on July 29, 1957;

THEREFORE, BE IT ORDERED BY THE COUNTY BOARD OF SCHOOL TRUSTEES OF UPSHUR COUNTY, TEXAS:

SECTION 1: That all of the foregoing findings in connection with the consolidation of Glenwood Common School District No. 21 of Upshur County, Texas, with East Mountain Common School District No. 31 of Upshur County, Texas, are hereby adopted as a part of the order of this Board and that the aforesaid consolidation of such two districts be, and the same is hereby, in all things recognized, approved, ratified and confirmed by this board, said consolidated district to be known as East Mountain Common School District No. 31 of Upshur County, Texas;

SECTION 2: That all of the foregoing findings in connection with the consolidation of Bethlehem Common School District No. 20 of Upshur County, Texas, with East Mountain Common School District No. 31 of Upshur County, Texas, as constituted after the consolidation set out in Section 1 hereof, are hereby adopted as a part of

44.

the order of this Board and that the aforesaid consolidation of such two school districts be, and the same is hereby, in all things recognized, approved, ratified and confirmed by this board.

SECTION 3: That such consolidated district after the above two consolidations is hereby designated and shall hereafter be known as the East Mountain Common School District No. 31 of Upshur County, Texas.

SECTION 4: That the following name residents and qualified voters in said East Mountain Common School District No. 31 of Upshur County, Texas, are hereby named as, and shall serve as, trustees for said consolidated district:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____

SECTION 5. That it BE FURTHER ORDERED that a certified copy of this order be made and transmitted to the County Clerk of Upshur County, Texas, by the County Superintendent for recording in the Record of School Districts of said County.

The above order having been read in full, it was moved by

J. F. Baird and seconded by Ruford Hagler

that the same be passed and adopted. Thereupon, the question being

called for, the following members of the Board voted "AYE":

* J. F. Baird Ruford Hagler Aubrey Williams
and none voted "NO". none

PASSED AND APPROVED THIS the 3rd day of August, 1957.

45

H. J. Spence

Chairman, County Board of School
Trustees of Upshur County, Texas.

ATTEST:

Paul K. Denson

County Superintendent and Ex-officio
Secretary of the County Board of School
Trustees of Upshur County, Texas.

46.

EAST MOUNTAIN COMMON SCHOOL DISTRICT NO. 31, UPSHUR COUNTY, TEXAS

THE STATE OF TEXAS |

COUNTY OF UPSHUR |

On this the 3rd day of August, 1957, the Board of Trustees of East Mountain Common School District No. 31 of Upshur County, Texas, met in special session at County Supt. Office
Delmar, Texas with the following members of said board present and in attendance, to-wit: Clayton Welles,
E. J. Richardson, B. M. Dawson,
W. R. Roney, J. C. Rash,
_____ and with
the following absent: J. G. McMichael, Charles Bower,
_____, constituting
a quorum, when among other proceedings had by said Board were
the following:

The President placed before the Board the following order relating to the detaching of territory from New Diana Independent School District of Upshur and Harrison Counties, Texas, and annexing same to East Mountain Common School District No. 31 of Upshur County, Texas:

Whereas a petition, executed by a majority of the qualified voters of the territory described in said petition, a copy of said petition being attached hereto and made a part hereof for the purpose of describing said territory, and executed by a majority of the Board of Trustees of New Diana Independent School District, has been addressed and presented to the County Board of School Trustees of Upshur County, Texas, petitioning and requesting that said County Board of School Trustees detach said described territory from New Diana Independent School District and annex said described territory to East Mountain Common School District No. 31 of Upshur County, Texas:

47.

THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF EAST MOUNTAIN COMMON SCHOOL DISTRICT NO. 31 of Upshur County, Texas that the proposed transfer of the territory described in the copy of said petition hereto attached from New Diana Independent School District of Upshur and Harrison Counties, Texas, to East Mountain Common School District No. 31 of Upshur County, Texas, be and same is hereby, in all things, approved by this Board and the Secretary of this Board is hereby directed to deliver forthwith to the County Board of School Trustees of Upshur County, Texas, a copy of this order as notice to said County Board of School Trustees of the approval by this Board of Trustees of said proposed transfer.

The above order having been read in full, it was moved by B. M. Downs and seconded J. A. Rash that the same be passed and adopted. Thereupon, the question being called for, the following members of the Board voted "AYE":

Clayton Willes, E. F. Richardson,
B. M. Downs, A. H. Kany,
J. A. Rash, _____,

_____, and none voted "NO"

Passed and approved this the 3rd day of August, 1957.

Clayton Willes
 President, Board of School Trustees
 of East Mountain Common School District
 No. 31, Upshur County, Texas.

ATTEST:

E. F. Richardson
 Secretary, Board of School Trustees
 of East Mountain Common School District
 No. 31, Upshur County, Texas.

48.

TO THE COUNTY BOARD OF SCHOOL TRUSTEES OF UPSHUR COUNTY, TEXAS:

We, the undersigned qualified voters of the hereinafter portion of New Diana Independent School District of Upshur and Harrison Counties, Texas, being a majority of the qualified voters of such described portion of such school district, and the undersigned trustees of New Diana Independent School District of Upshur and Harrison Counties, Texas, being a majority of such trustees, hereby respectfully petition the County Board of School Trustees of Upshur County, Texas to detach the hereinafter described portion of New Diana Independent School District from said district and annex same to East Mountain common School District No. 31 of Upshur County, Texas; said portion of the New Diana Independent School District herein petitioned to be detached from the New Diana Independent School District and annexed to the East Mountain Common School District No. 31 of Upshur County, Texas, being particularly described as follows:

Lying and being situated in Upshur County, Texas; and

BEGINNING at a point in Cypress Creek in the W. W. Ridgeway HR Survey, said point being due South of the most Southern Southwest corner of the L. S. Von Roeder HR Survey;

THENCE North pass the most Southern Southwest corner of the L. S. Von Roeder HR Survey and pass the most Southern Ell corner of said L. S. Von Roeder HR Survey to a point 100 varas North of the most Southern ell corner of said Von Roeder Survey;

THENCE West 1000 varas to a stake for corner;

THENCE North 216 varas to a stake for corner;

THENCE West, at 200 varas cross the WBL of the Von Roeder Survey, and the SEC of a 49 acre tract in the name of B B Wright, and formerly owned by W W Sanders, at 1148 varas to the SWC of said 49 acre tract;

THENCE North 584 varas to the Northwest corner of a 49 ac tract formerly owned by the R W Simpson Estate, said stake being on the most Northern South boundary line of the L S Von Roeder Survey, and being also the NEC of the W H McNair Survey;

THENCE West 1740 varas with the NBL of said W H McNair Survey to the most Western Southwest corner of the Von Roeder Survey;

49.

THENCE North 32½ varas with the most Western WBL of the Von Roeder Survey to the Southeast corner of the Uriah Harkey Survey;

THENCE West 545 varas with the SBL of said Harkey Survey to a stake in said line for corner at the SEC of the Felix King Estate 190 acre tract;

THENCE N 24 deg 15 min W 1335 varas to a stake in the WBL of the U Harkey Survey, and at the most Eastern Southeast corner of the J W Cleghorn Survey;

THENCE West 730 varas with the most Northern SBL of said Cleghorn Survey to a stake for corner at the SEC of a 249 acre tract in the name of O L Kimbrough;

THENCE North 2551 varas with the EBL of said O L Kimbrough tract to an ell corner of same, and on the West line of the Oscar Bradford 46 acre tract;

THENCE N 82 deg 50 min E 50.7 varas to another corner of said tracts;

THENCE N 10 deg E 134.5 varas with said tract to another corner of said tracts;

THENCE S 73 deg E 143.4 varas to a stake in the center of the Valley View Public road for corner;

THENCE S 10 E 10.3 varas with said road to a stake in same for the SWC of the W A Townsend 3.67 acre tract;

THENCE S 73 deg E 533 varas to the SEC of the Buford Hagler 27 acre tract, same formerly known as the Coulter tract of land, and said corner being in the WBL of the Sarah Powell Survey;

THENCE North with the West boundary line of said Sarah Powell Survey to the Southwest corner of a 60 acre tract in the name of Oliver Hagler, said corner being the NWC of a 50 acre tract in the name of Jno Rousseau;

THENCE East with the NBL of said Rousseau 50 acre tract and the SBL of the Oliver Hagler 60 acre tract to the SEC of said Hagler tract;

THENCE North with the EBL of same to the NEC of the Oliver Hagler 60 acre tract;

THENCE West with the NBL of same to the NWC of same, a stake in the WBL of the Sarah Powell Survey, said corner being also the SWC of a 60 acre tract in the name of A B Willeford;

THENCE North 780 varas with the WBL of said Powell Survey to the NWC of said Willeford tract;

THENCE East to a point of intersection of the East line of Justice Precinct No. 1, Upshur County, Texas;

THENCE North with the EBL of said Justice Precinct No. 1, to a stake in the NBL of the Sarah Powell Survey, said point being the SE corner of the D F Guest 80 acre tract of land in the W J Brittain SR Survey;

THENCE East with the NBL of said Sarah Powell Survey, passing the SEC of the Wm Brittain Survey, and on East to a point in said line 300 varas East from the SWC of the L T

50.

Wilbourn Survey to a stake in the South line of the L T Wilbourn H R Survey for corner;

THENCE North to a stake in the NBL of the L T Wilbourn Survey at the point in said line where the original School District #50 cornered, said corner being in the bed of the Holly Creek;

THENCE up said Creek with its meanders the general course of which is N 45 W 1069 varas to a point where Lot House Branch empties into said creek;

THENCE up said Lot House Branch, the general course of which is West 1450 varas to a point where the East boundary line of the Chas Stanley Survey crosses said branch;

THENCE N 20 deg W 612 varas to the NEC of the Stanley Survey;

THENCE South 70 West 796 varas with the NBL of said Chas Stanley Survey to the crest of the Parker Mountain Chain;

THENCE along the crest of the Parker Mountain Chain, the general course of which is S 85 W 2702 varas to the East boundary line of what was formerly Concord School District No. 10, and now the Gilmer Independent School District;

THENCE South 6728 varas with the EBL of said School District to Cypress Creek;

THENCE down Cypress Creek with its meanders to a point in the Wm Ridgeway H R Survey to the place of beginning, said point being due South of the most Southern Southwest corner of the L S Von Roeder H R Survey.

25.

51.

Respectfully submitted, August 3, 1957.

QUALIFIED VOTERS OF THE ABOVE DESCRIBED PORTION OF NEW DIANA
INDEPENDENT SCHOOL DISTRICT:

- | | |
|------------------------------|-------------------------------|
| 1. <u>Elton Hagler</u> | 23. <u>Nathlee Hill</u> |
| 2. <u>Florence Hagler</u> | 24. <u>Billy L. McLendon</u> |
| 3. <u>Leroy Guest</u> | 25. <u>Geraldine McLendon</u> |
| 4. <u>Rachel Guest</u> | 26. <u>Mrs. S. L. Pruitt</u> |
| 5. <u>Cantrell Loyd</u> | 27. <u>Mrs. Lucy Farrow</u> |
| 6. <u>Mildred Loyd</u> | 28. <u>E. W. Farrow</u> |
| 7. <u>Buford Hagler</u> | 29. <u>Luther Shaw</u> |
| 8. <u>Ophelia Hagler</u> | 30. <u>Clara Shaw</u> |
| 9. <u>C. E. Shaver</u> | 31. <u>G. C. Hill, Jr.</u> |
| 10. <u>Mrs. C. E. Shaver</u> | 32. <u>Jean Hill</u> |
| 11. <u>E. L. Shaw</u> | 33. <u>S. R. Pruitt</u> |
| 12. <u>Oscar Loyd</u> | 34. <u>Abner Hawkins</u> |
| 13. <u>Pauline Loyd</u> | 35. <u>Edith Hawkins</u> |
| 14. <u>Ellie F. Johnson</u> | 36. <u>Dick Meadows</u> |
| 15. <u>Bessie M. Johnson</u> | 37. <u>Lorene Meadows</u> |
| 16. <u>Mary O. Jones</u> | 38. <u>Jessie Mae Jones</u> |
| 17. <u>Lillie Mae Berry</u> | 39. <u>O. L. Shaw</u> |
| 18. <u>Lester Berry</u> | 40. <u>Mrs. Lorenza Shaw</u> |
| 19. <u>Huey Jones</u> | 41. <u>Mary J. Hagler</u> |
| 20. <u>Boyd Stracener</u> | 42. <u>Ellis Hagler</u> |
| 21. <u>Marie Stracener</u> | 43. <u>E. H. Shaw</u> |
| 22. <u>G. C. Hill, Sr.</u> | 44. <u>Mrs. Ethel Shaw</u> |

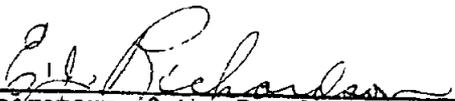
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CERTIFICATE OF SECRETARY

THE STATE OF TEXAS |
 COUNTY OF UPSHUR |

I, the undersigned, Secretary of the Board of School Trustees of East Mountain Common School District No. 31, Upshur County, Texas, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an order passed by said Board on the 3rd day of August, 1957 (and Minutes pertaining to its adoption), showing the approval of the Board of School Trustees of East Mountain Common School District No. 31, Upshur County, Texas, to the proposed transfer of territory from New Diana Independent School District of Upshur and Harrison Counties, Texas, to East Mountain Common School No. 31, Upshur County, Texas, as set out in said order, and said order is of record in Volume _____, Page _____ et seq., of the Minutes of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand officially this the 3rd day of August, 1957.


 Secretary of the Board of School
 Trustees of East Mountain Common
 School District of Upshur County,
 Texas.

54.

TO THE COUNTY BOARD OF SCHOOL TRUSTEES OF UPSHUR COUNTY, TEXAS:

We, the undersigned qualified voters of the hereinafter portion of New Diana Independent School District of Upshur and Harrison Counties, Texas, being a majority of the qualified voters of such described portion of such school district, and the undersigned trustees of New Diana Independent School District of Upshur and Harrison Counties, Texas, being a majority of such trustees, hereby respectfully petition the County Board of School Trustees of Upshur County, Texas to detach the hereinafter described portion of New Diana Independent School District from said district and annex same to East Mountain common School District No. 31 of Upshur County, Texas; said portion of the New Diana Independent School District herein petitioned to be detached from the New Diana Independent School District and annexed to the East Mountain Common School District No. 31 of Upshur County, Texas, being particularly described as follows:

Lying and being situated in Upshur County, Texas; and

BEGINNING at a point in Cypress Creek in the W. W. Ridgeway HR Survey, said point being due South of the most Southern Southwest corner of the L. S. Von Roeder HR Survey;

THENCE North pass the most Southern Southwest corner of the L. S. Von Roeder HR Survey and pass the most Southern Ell corner of said L. S. Von Roeder HR Survey to a point 100 varas North of the most Southern ell corner of said Von Roeder Survey;

THENCE West 1000 varas to a stake for corner;

THENCE North 216 varas to a stake for corner;

THENCE West, at 200 varas cross the WBL of the Von Roeder Survey, and the SEC of a 49 acre tract in the name of B B Wright, and formerly owned by W W Sanders, at 1148 varas to the SWC of said 49 acre tract;

THENCE North 584 varas to the Northwest corner of a 49 ac tract formerly owned by the R W Simpson Estate, said stake being on the most Northern South boundary line of the L S Von Roeder Survey, and being also the NEC of the W H McNair Survey;

THENCE West 1740 varas with the NBL of said W H McNair Survey to the most Western Southwest corner of the Von Roeder Survey;

55.

THENCE North 324 varas with the most Western WBL of the Von Roeder Survey to the Southeast corner of the Uriah Harkey Survey;

THENCE West 545 varas with the SBL of said Harkey Survey to a stake in said line for corner at the SEC of the Felix King Estate 190 acre tract;

THENCE N 24 deg 15 min W 1335 varas to a stake in the WBL of the U Harkey Survey, and at the most Eastern Southeast corner of the J W Cleghorn Survey;

THENCE West 730 varas with the most Northern SBL of said Cleghorn Survey to a stake for corner at the SEC of a 249 acre tract in the name of O L Kimbrough;

THENCE North 2551 varas with the EBL of said O L Kimbrough tract to an ell corner of same, and on the West line of the Oscar Bradford 46 acre tract;

THENCE N 82 deg 50 min E 50.7 varas to another corner of said tracts;

THENCE N 10 deg E 134.5 varas with said tract to another corner of said tracts;

THENCE S 73 deg E 143.4 varas to a stake in the center of the Valley View Public road for corner;

THENCE S 10 E 10.3 varas with said road to a stake in same for the SWC of the W A Townsend 3.67 acre tract;

THENCE S 73 deg E 533 varas to the SEC of the Buford Hagler 27 acre tract, same formerly known at the Coulter tract of land, and said corner being in the WBL of the Sarah Powell Survey;

THENCE North with the West boundary line of said Sarah Powell Survey to the Southwest corner of a 60 acre tract in the name of Oliver Hagler, said corner being the NWC of a 50 acre tract in the name of Jno Rousseau;

THENCE East with the NBL of said Rousseau 50 acre tract and the SBL of the Oliver Hagler 60 acre tract to the SEC of said Hagler tract;

THENCE North with the EBL of same to the NEC of the Oliver Hagler 60 acre tract;

THENCE West with the NBL of same to the NWC of same, a stake in the WBL of the Sarah Powell Survey, said corner being also the SWC of a 60 acre tract in the name of A B Willeford;

THENCE North 780 varas with the WBL of said Powell Survey to the NWC of said Willeford tract;

THENCE East to a point of intersection of the East line of Justice Precinct No. 1, Upshur County, Texas;

THENCE North with the EBL of said Justice Precinct No. 1, to a stake in the NBL of the Sarah Powell Survey, said point being the SE corner of the D F Guest 80 acre tract of land in the W J Brittain HR Survey;

THENCE East with the NBL of said Sarah Powell Survey, passing the SEC of the Wm Brittain Survey, and on East to a point in said line 300 varas East from the SWC of the L T

56.

Wilbourn Survey to a stake in the South line of the L T Wilbourn H R Survey for corner;

THENCE North to a stake in the NBL of the L T Wilbourn Survey at the point in said line where the original School District #50 cornered, said corner being in the bed of the Holly Creek;

THENCE up said Creek with its meanders the general course of which is N 45 W 1069 varas to a point where Lot House Branch empties into said creek;

THENCE up said Lot House Branch, the general course of which is West 1450 varas to a point where the East boundary line of the Chas Stanley Survey crosses said branch;

THENCE N 20 deg W 612. varas to the NEC of the Stanley Survey;

THENCE South 70 West 796 varas with the NBL of said Chas Stanley Survey to the crest of the Parker Mountain Chain;

THENCE along the crest of the Parker Mountain Chain, the general course of which is S 85 W 2702 varas to the East boundary line of what was formerly Concord School District No. 10, and now the Gilmer Independent School District;

THENCE South 6728 varas with the EBL of said School District to Cypress Creek;

THENCE down Cypress Creek with its meanders to a point in the Wm Ridgeway HR Survey to the place of beginning, said point being due South of the most Southern Southwest corner of the L S Von Roeder HR Survey.

57.

Respectfully submitted, August 3, 1957.

QUALIFIED VOTERS OF THE ABOVE DESCRIBED PORTION OF NEW DIANA
INDEPENDENT SCHOOL DISTRICT:

- | | |
|------------------------------|-------------------------------|
| 1. <u>Elton Hagler</u> | 23. <u>Hotdee Hill</u> |
| 2. <u>L. Lorraine Hagler</u> | 24. <u>Billy L. McLeadon</u> |
| 3. <u>Leroy Hunt</u> | 25. <u>Heraldine McLeadon</u> |
| 4. <u>Rachel Hunt</u> | 26. <u>Mrs S. L. Pruitt</u> |
| 5. <u>Carroll Loyd</u> | 27. <u>Mrs Lucy Lorraine</u> |
| 6. <u>Michael Loyd</u> | 28. <u>E. M. Lorraine</u> |
| 7. <u>Rufus Hagler</u> | 29. <u>Luther Shaw</u> |
| 8. <u>Abelie Hagler</u> | 30. <u>Glora Shaw</u> |
| 9. <u>C. E. Shaver</u> | 31. <u>W. C. Hill</u> |
| 10. <u>Mrs C. E. Shaver</u> | 32. <u>Jean Hill</u> |
| 11. <u>E. L. Shaw</u> | 33. <u>S. P. Pruitt</u> |
| 12. <u>Oscar Loyd</u> | 34. <u>Abner Hawkins</u> |
| 13. <u>Pauline Loyd</u> | 35. <u>Edith Hawkins</u> |
| 14. <u>Ellie F. Johnson</u> | 36. <u>Vick Meadows</u> |
| 15. <u>Bessie M. Johnson</u> | 37. <u>Lerene Meadows</u> |
| 16. <u>Mary O. Jones</u> | 38. <u>Jessie Mae Jones</u> |
| 17. <u>Lillie Mae Berry</u> | 39. <u>D. L. Shaw</u> |
| 18. <u>Lester Berry</u> | 40. <u>Mrs. Louisa Shaw</u> |
| 19. <u>Thos Jones</u> | 41. <u>Mary Jo Hagler</u> |
| 20. <u>Boyd Stracene</u> | 42. <u>Ellie Hagler</u> |
| 21. <u>Mama Stracene</u> | 43. <u>Wm. Shaw</u> |
| 22. <u>G. C. Hill</u> | 44. <u>Mrs Ethel Shaw</u> |

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- 45. Dr. A. Land
- 46. Mrs W. A. Land
- 47. C. S. Haney
- 48. Mrs. C. S. Haney
- 49. Bob Roberts
- 50. Mrs Bob Roberts
- 51. W. A. Townsend
- 52. Marion Townsend
- 53. Mrs. Rosa Jones
- 54. Neil S. Hester
- 55. Marian C. Hester
- 56. Mrs C. S. Hester
- 57. _____
- 58. _____
- 59. _____
- 60. _____

TRUSTEES OF NEW DIANA INDEPENDENT SCHOOL DISTRICT OF UPSHUR AND
HARRISON COUNTIES, TEXAS:

- 1. R. D. Nelson
- 2. H. J. Taff
- 3. L. R. Gower
- 4. A. E. Jones
- 5. H. J. Mc Keller
- 6. W. M. Oliver
- 7. _____

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And Whereas said petition describes by metes and bounds the territory sought to be transferred from New Diana Independent School District of Upshur and Harrison Counties, Texas, to East Mountain Common School District No. 31 of Upshur County, Texas,

And Whereas said petition is signed by a majority of the qualified voters of said territory sought to be so transferred;

And Whereas said petition is signed by a majority of the Board of Trustees of New Diana Independent School District of Upshur and Harrison Counties, Texas;

And Whereas said two School Districts are contiguous:

THEREFORE BE IT ORDERED BY THE COUNTY BOARD OF SCHOOL TRUSTEES OF UPSHUR COUNTY, TEXAS:

That all of the foregoing findings are hereby adopted as a part of the order of this Board and that the following described territory be, and the same is hereby detached from New Diana Independent School District of Upshur and Harrison Counties, Texas; and said described territory be, and the same is hereby annexed to East Mountain Common School District No. 31 of Upshur County, Texas; said territory hereby transferred from New Diana Independent School District of Upshur and Harrison Counties, Texas, to East Mountain Common School District No. 31 of Upshur County, Texas, being described as follows:

Lying and being situated in Upshur County, Texas; and

BEGINNING at a point in Cypress Creek in the W W Ridgeway HR Survey, said point being due South of the most Southern Southwest corner of the L S Von Roeder HR Survey;

THENCE North pass the most Southern Southwest corner of the L S Von Roeder HR Survey and pass the most Southern Ell. corner of said L S Von Roeder HR Survey to a point 100 varas North of the most Southern ell corner of said Von Roeder Survey;

THENCE West 1000 varas. to a stake for corner;

THENCE North 216 varas to a stake for corner;

THENCE West, at 200 varas cross the WBL of the Von Roeder Survey, and the SEC of a 49 acre tract in the name of B B. Wright, and formerly owned by W W Sanders, at 1148 varas to the SWC of said 49 acre tract;

61.

THENCE North 584 varas to the Northwest corner of a 49 ac tract formerly owned by the R W Simpson Estate, said stake being on the most Northern South boundary line of the L S Von Roeder Survey, and being also the NEC of the W H McNair Survey;

THENCE West 1740 varas with the NBL of said W H McNair Survey to the most Western Southwest corner of the Von Roeder Survey;

THENCE North 324 varas with the most Western WBL of the Von Roeder Survey to the Southeast corner of the Uriah Harkey Survey;

THENCE West 545 varas with the SBL of said Harkey Survey to a stake in said line for corner at the SEC of the Felix King Estate 190 acre tract;

THENCE N 24 deg 15 min W 1335 varas to a stake in the WBL of the U Harkey Survey, and at the most Eastern Southeast corner of the J W Cleghorn Survey;

THENCE West 730 varas with the most Northern SBL of said Cleghorn Survey to a stake for corner at the SEC of a 249 acre tract in the name of D L Kimbrough;

THENCE North 2551 varas with the EBL of said O L Kimbrough tract to an ell corner of same, and on the West line of the Oscar Bradford 46 acre tract;

THENCE N 82 deg 50 min E 50.7 varas to another corner of said tracts;

THENCE N 10 deg E 134.5 varas with said tract to another corner of said tracts;

THENCE S 73 deg E 143.4 varas to a stake in the center of the Valley View Public road for corner;

THENCE S 10 E 10.3 varas with said road to a stake in same for the SWC of the W A Townsend 3.67 acre tract;

THENCE S 73 deg E 533 varas to the SEC of the Buford Hagler 27 acre tract, same formerly known as the Coulter tract of land, and said corner being in the WBL of the Sarah Powell Survey;

THENCE North with the West boundary line of said Sarah Powell Survey to the Southwest corner of a 60 acre tract in the name of Oliver Hagler, said corner being the NWC of a 50 acre tract in the name of Jno Rousseau;

THENCE East with the NBL of said Rousseau 50 acre tract and the SBL of the Oliver Hagler 60 acre tract to the SEC of said Hagler tract;

THENCE North with the EBL of same to the NEC of the Oliver Hagler 60 acre tract;

THENCE West with the NBL of same to the NWC of same, a stake in the WBL of the Sarah Powell Survey, said corner being also the SWC of a 60 acre tract in the name of A B Willeford;

62

THENCE North 780 varas with the WBL of said Powell Survey to the NWC of said Willeford tract;

THENCE East to a point of intersection of the East line of Justice Precinct No. 1, Upshur County, Texas;

THENCE North with the EBL of said Justice Precinct No. 1, to a stake in the NBL of the Sarah Powell Survey, said point being the SE corner of the D F Guest 80 acre tract of land in the W J Brittain HR Survey;

THENCE East with the NBL of said Sarah Powell Survey, passing the SEC of the Wm Brittain Survey, and on East to a point in said line 300 varas East from the SEC of the L T Wilbourn Survey to a stake in the South line of the L T Wilbourn HR Survey for corner;

THENCE North to a stake in the NBL of the L T Wilbourn Survey at the point in said line where the original School District #50 cornered, said corner being in the bed of the Holly Creek;

THENCE up said Creek with its meanders the general course of which is N 45 W 1069 varas to a point where Lot House Branch empties into said creek;

THENCE up said Lot House Branch, the general course of which is West 1450 varas to a point where the East boundary line of the Chas Stanley Survey crosses said branch;

THENCE N 20 deg W 612 varas to the NEC of the Stanley Survey;

THENCE South 70 West 796 varas with the NBL of said Chas Stanley Survey to the crest of the Parker Mountain Chain;

THENCE along the crest of the Parker Mountain Chain, the general course of which is S 85 W 2702 varas to the East boundary line of what was formerly Concord School District No. 10, and now the Gilmer Independent School District;

THENCE South 6728 varas with the EBL of said School District to Cypress Creek;

THENCE down Cypress Creek with its meanders to a point in the Wm Ridgeway HR Survey to the place of beginning, said point being due South of the most Southern Southwest corner of the L S Von Roeder HR Survey.

That it BE FURTHER ORDERED that a certified copy of this order be made and transmitted to the County Clerk of Upshur County, Texas, by the County Superintendent for recording in the Record of School Districts of said County.

* - - -

The above order having been read in full, it was moved by

J. F. Baird ~~that the same be passed and adopted,~~
and seconded by Buford Hager that the same be passed and adopted.

63

Thereupon, the question being called for, the following members of the Board voted "AYE":

J. F. Baird Buford Wagner _____

and none voted "NO".

PASSED AND APPROVED this the 3rd day of August, 1957.

H. J. Spencer
Chairman, County Board of School
Trustees, of Upshur County, Texas

ATTEST:

County Superintendent and Ex-officio
Secretary of the County Board of School
Trustees of Upshur County, Texas.

TREASURER'S QUARTERLY REPORT

BY H. A. Wheeler COUNTY TREASURER

FROM April 1 TO June 30 INCLUSIVE

	Balance Last Report	Amt Rec Since Last Report	Disbursements	Transfers In	Transfers Out	BALANCE	
1 General	32,464.28	845.25	19,645.98		3,000.00	10,663.55	1
2 Salary	5,369.76	15,362.22	19,221.60	3,000.00		4,510.38	2
3 R&B	71,927.26	9,071.47	12,322.29			68,676.44	3
4 R&B 1	12,982.10	25,742.77	21,817.23			17,907.64	4
5 R&B 2	5,650.11	18,706.25	15,495.74			9,060.62	5
6 R&B 3	8,095.13	18,912.77	15,853.93			11,153.97	6
7 R&B 4	5,563.98	19,131.82	13,168.66			11,527.14	7
8 Perm Imp	5,702.27	97.18	1,921.13			3,878.32	8
9 Perm School	858.09	22,362.61	22,317.12			903.58	9
10 Social Sec	8,425.48		2,167.13			6,258.35	10
11 July	1,612.22	24.25	1,018.50			618.17	11
12 R&B 3A Int & Skg	8,623.19					8,623.19	12
13 R&B 1B Avail	9,569.13					9,569.13	13
14 Road Dist 1-C Avail		100,000.00	13,377.58			86,622.42	14
15 Road Dist 1-C Int & Skg		375.00				375.00	15
16 Upshur Law Libraris	118.25	33.00	25.00			126.25	16
17							17
18							18
19							19
20 TOTAL	176,961.25	231,864.79	158,351.89	3,000.00	3,000.00	250,474.15	20

LIST OF BONDS AND OTHER SECURITIES ON HAND
PERMANENT SCHOOL FUND

4 U. S. Savings Bonds @ 500.00	\$2,000.00
5 " " " " 1000.00	\$5,000.00
8 " " " " 1000.00	\$8,000.00
3 State J Bonds @ \$ 100.00	\$ 300.00
6 Ore City Ind Sch Dist. Bonds	\$6,000.00

**UPSHUR COUNTY
TREASURER'S
QUARTERLY REPORT**

Covering Period
From April 1
To June 30 inclusive
Date Filed July 9 1927
H. A. Wheeler
County Treasurer, Upshur County

FILED
1927 JUL -9 AM 9 20
R C VIVIAN
CLERK, UPSHUR COUNTY

THE STATE OF TEXAS)
COUNTY OF UPSHUR)

BEFORE ME the undersigned authority, on this day personally appeared

H. A. Wheeler, County Treasurer of Upshur County
who being by me duly sworn upon oath says that the within and foregoing report is true and correct

H. A. Wheeler County Treasurer

SWORN TO AND SUBSCRIBED before me this 9 day of July 19 27

R. C. Vivian Clerk
County Court, Upshur County, Texas

BEFORE ME R. C. Vivian County Clerk Upshur County Texas on this day

personally appeared J. W. Bryce County Judge Jim Shackey

Commissioner Precinct No 1 J. Bryant Holmes Commissioner Precinct No 2

Cloe Spencer Commissioner, Precinct No 3 and Horace Morris

Commissioner Precinct No 4 who after being duly sworn by me state under their oath that they
have examined the foregoing County Treasurer's Report, of Upshur County, Texas, and find the
same to be correct to the best of their knowledge and belief

J. W. Bryce
County Judge

Jim Shackey
Commissioner Precinct No 1

J. Bryant Holmes
Commissioner, Precinct No 2

Cloe Spencer
Commissioner, Precinct No 3

Horace Morris
Commissioner Precinct No 4

SUBSCRIBED AND SWORN TO Before me, this 9 day of July

A D 1927

R. C. Vivian
County Clerk Upshur County Texas

JUDGMENT OF THE COURT

STATE OF TEXAS

VS NO 3793

Clarence S. Lee

IN THE _____ COUNTY _____ COURT OF

UPSHUR COUNTY, TEXAS,

_____ TERM.

A D 19 57

On this the _____ day of _____, A. D. 19____, came on for final hearing the above numbered and styled cause, and it appearing to the Court that no objections have been

filed to the award of the Special Commissioners, filed on the 21th day of June,

A D, 1957, which is as follows

One Dollar (\$1.00) as damages to the land taken as shown by the award of special commissioners, J. D. Baird, A. L. Beavers, and A. F. Vessel filed herewith and made a part hereof as if copied at length herein.

It is, therefore, ORDERED, ADJUDGED, and DECREED by the Court that the Commissioners' Court of

Upsnur County, Texas, on behalf of the State of Texas, pay to

Clarence S. Lee

Texas Highway Department
Form 451 (Page 2) 3-33-10m

3793-2

Defendant(s), (jointly) the sum of One Dollar

(\$ 1.00) and that such payment be, and it is hereby adjudged to be full compensation for the fee simple title to the hereinafter described property, and

It is further ORDERED, ADJUDGED, and DECREED that the title to said property hereinafter described be, and the same is hereby divested out of the said

Clarence S. Lee

Defendant(s), and vested in the State of Texas, said property-being-described as follows

(Here insert field notes, _____ of petition)

Being part of a 39 acre tract of land in the H. W. Augustine Survey conveyed by J. W. Wall to Clarence S. Lee et ux by deed dated December 31, 1932 and duly recorded in Vol. 102 Page 113 of the Upshur County Deed Records and being more fully described as follows:

BEGINNING at a point in the North Boundary Line of the above described tract, said point being approximately 1516 feet from the apparent Northeast Corner of the above described tract and also being at right angle to and 50 feet from center line station 591/94.9 of FM Hwy. 1404;

THENCE S 1°19'W, parallel to and 50 feet from the center line of FM Hwy. 1404, a distance of 1090.8 feet to a point in the East right of way line of FM Hwy. 1404, said point being at right angle to and 50 feet from center line station 602/85.7;

THENCE in a Southerly direction, parallel to and 50 feet from the center line of FM Hwy. 1404, following a curve to the left of radius 2814.93 feet, a distance of 210.1 feet to a point in the South Boundary Line of the above described tract, said point being at right angle to and 50 feet from center line station 604/99.5 of FM Hwy. 1404;

THENCE West, following said South Boundary Line, at 50.1 feet cross the center line of FM Hwy. 1404 at its station 604/97 and continuing a total distance of 100.2 feet to a point in the West right of way line of FM Hwy. 1404, said point being at right angle to and 50 feet from center line station 604/96.3 of FM Hwy. 1404;

THENCE in a Northerly direction, parallel to and 50 feet from the center line of FM Hwy. 1404, following a curve to the right of radius 2914.93, a distance of 214.3 feet, to a point in said west right of way line at right angle to and 50 feet from center line station 602/85.7;

THENCE N 1°19'E, parallel to and 50 feet from the center line of FM Hwy. 1404, a distance of 1088.6 feet to a point in the North Boundary line of the above described tract, said point being at right angle to and 50 feet from center line station 591/97.1 of FM Hwy. 1404;

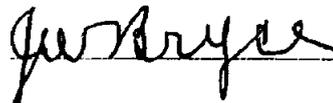
THENCE East, following said North Boundary line, at 50 feet cross the center line of FM Hwy. 1404 at its station 591/96 and continuing a total distance of 100 feet to the place of beginning, containing 2.99 acres of land of which 2.77 acres are in the present county road leaving 2.22 acres of land more or less.

1

And it is further ORDERED, ADJUDGED and DECREED that the said _____

Clarence S. Lee

Defendant(s) shall pay all costs herein.



County Judge, Upshur County, Texas

JUDGMENT OF THE COURT

STATE OF TEXAS	}	IN THE _____ COUNTY _____ COURT OF
VS NO 3796		UPSHUR _____ COUNTY, TEXAS,
Joe Pillian		_____ TERM.
_____		A D 1957

On this the _____ day of _____, A D 19____, came on for final hearing the above numbered and styled cause, and it appearing to the Court that no objections have been

filed to the award of the Special Commissioners, filed on the 24th day of June _____,

A D, 1957, which is as follows.

One Dollar (\$1.00) as damages to the land taken as shown by the award of special commissioners, J. D. Baird, A. L. Beavers, and A. F. Vessel filed herewith and made a part hereof as if copied at length herein.

It is, therefore, ORDERED, ADJUDGED, and DECREED by the Court that the Commissioners' Court of

_____ Upshur _____ County, Texas, on behalf of the State of Texas, pay to

_____ Joe Pillian _____

4.

Texas Highway Department
Form 451 (Price 2) 8-39-10m

Defendant(s), (jointly) the sum of One Dollar

(\$1.00) and that such payment be, and it is hereby adjudged to be full compensation for the fee simple title to the hereinafter described property, and

It is further ORDERED, ADJUDGED, and DECREED that the title to said property hereinafter described be, and the same is hereby divested out of the said

Joe Pillian

Defendant(s), and vested in the State of Texas, said property being described as follows:

(Here insert field notes, _____ of petition)

Being part of a 20 acre tract of land in the J. B. B. Davenport Survey and being more fully described as follows:

BEGINNING at a point in the East Boundary Line of the above described tract, said point being 742 feet from the apparent Southeast Corner of said 20 acre tract and also being at right angle to and 50 feet from center line station 409/64.7 of FM Hwy. 1404;

THENCE S 88°28'E, Parallel to and 50 feet from the center line of FM Hwy. 1404, a distance of 672.7 feet to a point in the South Right of Way Line of FM Hwy. 1404, said point being at right angle to and 50 feet from center line station 402/92.0;

THENCE in a westerly direction, parallel to and 50 feet from the center line of FM Hwy. 1404, following a curve to the right of radius 11,509.2 feet, a distance of 267.9 feet, to a point in said South right of way line at right angle to and 50 feet from center line station 400/25.3;

THENCE S 89°48'W, parallel to and 50 feet from the center line of FM Hwy. 1404, a distance of 125.3' to a point in the East Boundary Line of a County Road, said point being at right angle to and 50 feet from center line station 399/00 of FM Hwy. 1404;

THENCE North following the East Boundary Line of said County road, at 50 feet cross the center line of FM Hwy. 1404 at its station 399/00 and continuing a total distance of 65 feet to a point in the South Boundary line of another County road, said point being at right angle to and 15 feet from center line station 399/00 of FM Hwy. 1404;

THENCE in an Easterly direction, following said South Boundary Line of said County road, at 1040 feet cross the center line of FM Hwy. 1404 at its station 409/20 and continuing a total distance of approximately 1066 feet to a point in the East Boundary Line of said 20 acre tract, said point being at right angle to and 1 foot from center line station 409/66 of FM Hwy. 1404;

THENCE South, following said East Boundary Line, a distance of 49 feet to the place of beginning, containing 1.44 acres of land more or less.

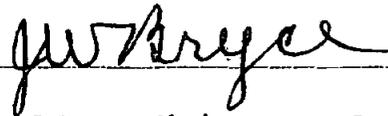
PAGE -

6.

And it is further ORDERED, ADJUDGED and DECREED that the said _____

Joe Pillian

Defendant(s) shall pay all costs herein



County Judge, _____ Upshur _____ County, Texas

7

JUDGMENT OF THE COURT

STATE OF TEXAS	}	IN THE _____ COUNTY _____ COURT OF
VS NO 3800		UPSHUR _____ COUNTY, TEXAS,
Lela Weaver		_____ TERM,
_____		A D. 19 57.

On this the _____ day of _____, A D 19 57, came on for final hearing the above numbered and styled cause, and it appearing to the Court that no objections have been

filed to the award of the Special Commissioners, filed on the 24th day of June

A D., 19 57, which is as follows:

One Dollar (\$1.00) as damages to the land taken as shown by the award of special commissioners, J. D. Baird, A. L. Beavers, and A. F. Vessel filed herewith and made a part hereof as if copied at length herein.

It is, therefore, ORDERED, ADJUDGED, and DECREED by the Court that the Commissioners' Court of

Upshur County, Texas, on behalf of the State of Texas, pay to

Lela Weaver

8

Defendant(s), (jointly) the sum of One Dollar

(\$ 1.00) and that such payment be, and it is hereby adjudged to be full fee simple title to the hereinafter described property; and

ation for the

It is further ORDERED, ADJUDGED, and DECREED that the title to said described be, and the same is hereby divested out of the said

y hereinafter

Lela Weaver

Defendant(s), and vested in the State of Texas, said property being described as f

(Here insert field notes, _____

. of petition)

Being part of a tract of land in the H. W. Augustine Survey, and being more fully described as follows:

BEGINNING at a point in the North Boundary Line of the above described tract, said point being approximately 27 feet from the apparent Northwest corner of said tract and also being at right angle to and 50 feet from center line station 586/86.1 of FM Hwy. 1404;

THENCE S 1°19'W, parallel to and 50 feet from the center line of FM Hwy. 1404, a distance of 205.0 feet to a point in the South Boundary Line of the above described tract, said point being at right angle to and 50 feet from center line station 588/91.1 of FM Hwy. 1404;

THENCE East, following said South Boundary Line, at 50 feet cross the center line of FM Hwy. 1404 at its station 588/90 and continuing a total distance of 100 feet to a point in the East Right of Way line of FM Hwy. 1404, said point being at right angle to and 50 feet from center line station 588/88.9;

THENCE N 1°19'E, parallel to and 50 feet from the center line of FM Hwy. 1404, a distance of 205.0 feet to a point in the North Boundary Line of the above described tract, said point being at right angle to and 50 feet from center line station 586/83.9 of FM Hwy. 1404;

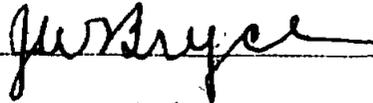
THENCE West, following said North Boundary Line, at 50 feet cross the center line of FM Hwy. 1404 at its station 586/85 and continuing a total distance of 100 feet to the place of beginning, containing 0.47 acres of land more or less.

9

And it is further ORDERED, ADJUDGED and DECREED that the said _____

Lela Weaver

Defendant(s) shall pay all costs herein.



County Judge, Upshur County, Texas.

1536

PETITION FOR WATER CONTROL AND IMPROVEMENT DISTRICT

STATE OF TEXAS

COUNTY OF UPSHUR

TO THE HONORABLE STATE BOARD OF WATER ENGINEERS, AUSTIN, TEXAS:

WE, THE UNDERSIGNED each of whom is a land owner within the boundaries of the proposed district as hereinafter set forth, DO HEREBY respectfully petition your Honorable Body for the organization of a Water Control and Improvement District within the terms and provisions of Section 59 of Article XVI of the Texas Constitution and pursuant to the statutory laws of the State of Texas thereunto enabling, as prescribed by Chapter 3A, Title 126 Vernon's Texas Civil Statutes 1925, as amended, and with regard to the organization of such district, respectfully represent and show as follows:

1. That the name of said proposed District shall be "UPSHUR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1".
2. That said proposed District contains an area of approximately 277.03 square miles and lies wholly within Upshur County, State of Texas.
3. That the proposed District and the area thereof be organized to include all lands and property located within boundaries as follows:

1536

Beginning at a point in the West Boundary line of Upshur County Texas, at its intersection with the north line of the R. C. Betty Survey Abstract No. 47;

Thence east along the said north line of the R. C. Betty Survey Abstract No. 47 to the north east corner of said survey said point also being in the west line of the Esteban Moro Survey Abstract No. 4,

Thence south along the west line of the Esteban Moro Survey Abstract No. 4 to the South west corner thereof,

Thence east along the south line of the Esteban Moro Survey Abstract No. 4 to the southeast corner thereof, which point is also in the west line of the S. L. McKee Survey Abstract No. 335;

Thence south along the west line of the said S. L. McKee Survey Abstract No. 335 to the southwest corner thereof,

Thence east along the south line of the S. L. McKee Survey Abstract No. 335 and the south line of the M. L. Long Survey Abstract No. 282 to the southeast corner of the said M. L. Long Survey said point also being in the west line of the Wm. McPadden Survey Abstract No. 295;

Thence south along the west line of the Wm. McPadden Survey Abstract No. 295 passing the southwest corner thereof and continuing south along the west line of the Joseph Walker Survey Abstract No. 520 and the west line of the James Ellison Survey Abstract No. 148 to the Southwest corner of the said James Ellison Survey;

Thence east along the south line of the James Ellison Survey Abstract No. 148 to the Southeast corner thereof, said corner also being in the west line of the A. T. Mitchell Survey Abstract No. 296;

Thence south along the west line of the A. T. Mitchell Survey Abstract No. 296 to the southwest corner thereof;

Thence east along the south line of the said A. T. Mitchell Survey to a point said point also being the northwest corner of the Seth Hazel Survey Abstract No. 197;

Thence south along the west line of the Seth Hazel Survey Abstract No. 197 to the southwest corner thereof,

Thence east along the south line of the said Seth Hazel Survey passing the southeast corner thereof, said point also being the southwest corner of the T. L. Campbell Survey Abstract No. 95 and continuing east along the south line of the said T. L. Campbell Survey to the southeast corner thereof; said point also being

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in the west line of the J. B. Davenport Survey Abstract No. 1,

Thence east crossing the J. B. Davenport Survey Abstract No. 1 along the north line of Blocks 30, 33, 34 and continuing east to the east line of the said J. B. Davenport Survey, said point also being in the west line of the J. M. Stout Survey Abstract No. 431,

Thence north along the east line of the J. B. Davenport Survey Abstract No. 1 to the southwest corner of the S. Brown Survey Abstract No. 25;

Thence east along the south line of the said S. Brown Survey to the most westerly northwest corner of the G. W. Terrance Survey Abstract No. 434;

Thence south along the most westerly west line of said G. W. Terrance Survey to the southwest corner thereof;

Thence east along the south line of the said G. W. Terrance Survey and the south line of the S. C. Gillespie Survey Abstract No. 185 to the southeast corner of the said S. C. Gillespie Survey;

Thence north along the east line of the said S. C. Gillespie Survey to the northeast corner thereof; this point being in the south line of the M. P. del Torres Survey Abstract No. 6;

Thence east along the south line of the said M. P. del Torres Survey to the southeast corner thereof;

Thence north along the east line of the said M. P. del Torres Survey to the southwest corner of the W. H. Williams Survey Abstract No. 516;

Thence east along the south line of the said W. H. Williams Survey to the southeast corner thereof,

Thence north along the east line of the said W. H. Williams Survey Abstract No. 516 and continuing north along the east line of the W. McCarter Survey Abstract No. 298, the east line of the D. R. Cannon Survey Abstract No. 80, the east line of the J. L. Clighorn Survey; the east line of the S. Denson Survey Abstract No. 119 to the most northerly northeast corner of the said S. Denson Survey said corner also being in the south line of the Charles Stonley Abstract No. 476;

1536

Thence in a northeasterly direction along the south line of the said Charles Stonley Survey to the Southeast corner thereof;

Thence in a northwesterly direction along the east line of the said Charles Stonley Survey to the northeast corner thereof;

Thence west along the north line of the said Charles Stonley Survey to a point, said point also being the most easterly corner of the T.C.R.R. Company Survey Abstract No. 587;

Thence in a northwesterly direction along the north and northeast lines of the T.C.R.R. Company Survey Abstract No. 587, the J. L. Shipman Survey Abstract No. 465, the G. W. Graves Survey Abstract No. 493, the J. Henson Survey Abstract No. 647, the W. Wright Survey Abstract No. 529 to the most northerly northeast corner of the said W. Wright Survey,

Thence in a southwesterly direction along the north line of the said W. Wright Survey and the B. Smith Survey Abstract No. 446 to an inner northeast corner of the said B. Smith Survey, said point also being the southwest corner of the John B. Gay Survey Abstract No. 168;

Thence in a northwesterly direction along the east or northeast line of the B. Smith Survey Abstract No. 446, the S. Bishop Survey Abstract No. 35, the B. S. Miller Survey Abstract No. 328, the J. Henson Survey Abstract No. 224 to the northeast corner of the said J. Henson Survey,

Thence west along the north line of the said J. Henson Survey to the northwest corner thereof;

Thence south along the west line of the said J. Henson Survey to a point, said point being the northeast corner of the T. P. Houseworth Survey Abstract No. 219;

Thence west along the north line of the said T. P. Houseworth Survey to the northwest corner thereof;

Thence south along the west line of the said T. P. Houseworth Survey to the southwest corner of said Survey, said point being in the north line of the J. Mountsford Survey Abstract No. 363;

Thence west along the north line of the said J. Mountsford Survey to the northwest corner thereof;

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Thence south along the west line of the said J. Mountsford Survey to the southwest corner thereof, said point also being in the north line of the W. Martin Survey Abstract No. 311

Thence west along the north line of the said W. Martin Survey, the N. Davidson Survey Abstract No. 158, the Charles de Montel Survey Abstract No. 591 to the most northerly northwest corner of the said Charles de Montel Survey said point also being in the east line of the John Lee Survey Abstract No. 291;

Thence north along the east line of the said John Lee Survey to the northeast corner thereof;

Thence west along the north line of the said John Lee Survey to the northwest corner thereof, said point also being in the east line of the Freeman Prather Survey Abstract No. 391;

Thence north along the east line of the said Freeman Prather Survey passing the northeast corner thereof and continuing north along the east line of the E. P. Chism Survey Abstract No. 75 to the northeast corner thereof and continuing north along the east line of the M. Cartwright Survey Abstract No. 600 to the north boundary line of Upshur County, Texas,

Thence west following the said north line of Upshur County to the northwest corner of said county;

Thence south following the west boundary line of Upshur County, Texas to the point of beginning, said area herein described containing 177,300 acres more or less all located within Upshur County, Texas.

1536

4. That the number of land owners within the boundaries of the proposed District greatly exceeds fifty (50), and accordingly this petition is sufficient if signed by fifty (50) or more of such land owners.

5. That the purpose of the organization of the District shall be for and include --

(a) All works and facilities in any manner incident to, helpful or necessary in controlling, storing, preserving and distributing the storm and flood waters and the unappropriated flow of its rivers and streams for beneficial use as provided by law.

(b) All works, plants and facilities in any manner incident to, helpful or necessary in the collection, distribution, processing, disposal and control of domestic, industrial or communal wastes, to the end that the public health and welfare may be conserved and promoted, and the purity and sanitary condition of the State's waters protected, effected or restored.

Specification of the aforesaid purposes is not to be construed as limitations of the District's authority, but same shall include all other useful and beneficial purposes incident to those specified as permitted by the laws of the State of Texas applicable to the District, now in force or hereafter enacted.

6. That the general nature of the work to be done by the District includes the impounding of the storm and flood waters and unappropriated flow of its rivers and streams or otherwise by complying with Chapter 1, Title 128 Vernon's Texas Civil Statutes of 1925, as amended; the acquisition and construction of all those works and facilities necessary or useful

1536.

in processing and transporting the impounded water for municipal, domestic, industrial or other useful purposes permitted by law; and the acquisition and construction of all works and facilities necessary or useful in the collection, transportation, processing, disposal and control of domestic, industrial or communal wastes.

7. That there exists a necessity for the organization of such District in order to accomplish within the area thereof the purposes of Section 59 of Article XVI of the Texas Constitution, by providing for the capture, storage and beneficial use of surface waters of the State that would otherwise be wasted and lost but which the District could utilize for municipal, domestic, industrial and other useful purposes permitted by law, and in order to conserve and promote the public health and welfare and to protect, effect and restore the purity and sanitary condition of the State's waters.

8. That the work to be done in accomplishing the purposes of the District herein proposed is entirely practicable and feasible due to the availability of surface waters which may be utilized in the manner and for the purposes herein set out, and due to the availability of means of appropriately collecting and disposing of sewage and wastes within the area of the District, and Petitioners are prepared to present to this Board evidence in substantiation of this. In consideration of the nature of the soil and the contour of the lands and the needs of the inhabitants, the proposed District will be of benefit to all the land within said District and will be a public benefit and utility. The topography of the land of the proposed District presents no feature which will make the consummation of the District's purposes impracticable from an engineering standpoint.

.230-

1536

9. That Petitioners have secured the services of Homer A. Hunter Associates, Consulting Engineers in estimating the cost of the District's proposed works, and upon the basis of such estimates, represent that same will cost approximately SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000), apportioned for the water improvements and sewer improvements, as follows: (a) for water improvements \$500,000; and (b) for sewer improvements \$150,000.

WHEREFORE your Petitioners have caused this petition to be filed with the County Clerk of Upshur County, Texas, and with your Honorable Board, and they respectfully pray that your Honorable Board make and enter an order setting this petition down for hearing, fixing a date for such hearing, and authorizing the giving of notice of such hearing, all in the manner provided by law; that upon hearing of this petition same be in all things granted; that the proposed Water Control and Improvement District be created, and that temporary directors of such District be appointed; all as provided by law; and your Petitioners do hereby further pray for all further relief and orders as may be necessary and appropriate in the premises and to which they may be entitled even though not herein specifically mentioned.

Respectfully submitted, this 1st day of August,
1957.

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Ed. Hermann
 Samuel
 Joe Larsonhood
 Doctor Lovell
 Thomas Russell
 H. Hodgson
 Bennie Bishop
 J. Dean
 A. Daniels
 Louise M. Daniels
 George J. Daniels
 J. L. Johnson
 Jack Johnson
 Roy D. Sorells
 Johnnie Lee Sorells
 Mrs. R. R. Sorells
 Elton F. Wilburn
 John Spencer
 R. B. Sashiceel
 L. J. Bellard
 Ruth Dupree
 A. B. Kesner
 Bill Spencer

J. F. Johnson
 Roy Spencer
 B. J. Soren
 J. G. Lyle
 May Hill
 W. E. Johnson
 O. L. Foy
 J. L. Montgomery
 G. Hall
 Gene Anderson
 A. B. Kesner

1836

Wayne 1st Lane Route 3
Hilmas

J. E. Cooper

Mrs. W. Harrison

Mrs. W. Harrison

Mrs. Neil Harrison

N. A. Barnett

Mrs. H. A. Barnett

Mrs. J. B. Stamp

Mrs. E. P. King

Tully Reynolds

Mrs. Leta Fowler

Mrs. H. Spencer

Chas. Spencer

R. L. Hudson

J. W. Bryce

J. J. [unclear]

J. D. Tye

M. C. Palmer

W. J. Evers

Mrs. Jewel Evers

Mrs. Chas. J. Morse

R. L. [unclear]

E. E. Hayes

Gordon E. Finney

Mrs. Ernest Fenell

Mr. Temple B. Ingram

Mrs. C. D. Owen

Mrs. Melvin Criss

Mr. W. L. Hudgins

Mrs. H. A. Blasingame

Mr. W. A. Blasingame

A. H. Johnson

J. J. Pittman

Mrs. J. J. Pittman

John B. O'Keefe M.

Mrs. C. L. Fiddle

O. C. Clark

Mrs. O. C. Clark

Ernie Clark

Mary Lou Clark

Mrs. Elton Wilburn

Frank J. Smith

Ewert Morgan

Mrs. E. Morgan

Jesse [unclear]

1336

<u>DT Loyd</u>	<u>Stam [unclear]</u>
<u>LC Blount</u>	<u>Bye Richardson</u>
<u>Herb Wainwright</u>	<u>John D. Goshok</u>
<u>W. H. [unclear]</u>	<u>J. J. Long</u>
<u>W. H. [unclear]</u>	<u>J. G. [unclear]</u>
<u>J. A. Wainwright</u>	<u>Rich. [unclear]</u>
<u>J. M. [unclear]</u>	<u>H. [unclear]</u>
<u>[unclear]</u>	<u>James [unclear]</u>
<u>James H. Wade</u>	<u>Bill J. [unclear]</u>
<u>Charles [unclear]</u>	<u>Brown Blount</u>
<u>R. C. [unclear]</u>	<u>Clara [unclear]</u>
<u>A. Stamp</u>	<u>Melroy [unclear]</u>
<u>B. D. [unclear]</u>	<u>Frank [unclear]</u>
<u>[unclear]</u>	<u>E. [unclear]</u>
<u>H. H. [unclear]</u>	<u>Lee [unclear]</u>
<u>O. [unclear]</u>	<u>John [unclear]</u>
<u>H. [unclear]</u>	<u>J. [unclear]</u>
<u>C. H. [unclear]</u>	<u>J. H. Daniels</u>
<u>John [unclear]</u>	<u>H. [unclear]</u>
<u>Ross [unclear]</u>	<u>Conroy [unclear]</u>
<u>Melvin [unclear]</u>	<u>Kay [unclear]</u>
<u>A. B. [unclear]</u>	<u>Paul [unclear]</u>

1735

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~~James~~

~~Wm. Howard~~

~~W. A. Brown~~

~~B. C. Serrells~~

~~Wm. L. Jones~~

~~V. H. Schinger~~

~~G. T. Seltan~~

~~Paul Estlin~~

~~F. J. Dawson~~

~~Mr. Jack Land~~

~~H. W. Wilson~~

~~L. S. Odle~~

~~Ernie Clark~~

~~John Dupree~~

~~J. Warren~~

~~Scott Pickett~~

~~J. W. Harper~~

~~R. E. Mulligan~~

~~D. D. Jones~~

~~E. H. Arnold~~

~~J. H. Price~~

~~W. A. Nelson~~

1536

Mrs. Royal C. Hogg-

Royal C. Hogg-

Billy Jack Hogg

C. H. Roberts

Mr. Dennis Cook

