



PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

FILED  
J.B. HILL, JR.  
CLERK UPSHUR COUNTY

Date 6-30-77 1977 JUL 25 AM 10:59

TO: THE UPSHUR COUNTY COMMISSIONERS COURT  
COUNTY OF UPSHUR  
GILMER, TEXAS

Formal notice is hereby given that GENERAL TELEPHONE CO. OF THE SW.  
whose principal address is 126 South Main - Henderson, Texas 75652  
does propose to place a buried cable  
within the ROW of County Road (dirt county road) *Locust Road*  
as follows: The proposed cable is to be buried North along a  
dirt county road.

The proposed cable is to be buried on the West side of  
the right-of-way for 1549 feet.

Cable will be buried a minimum of 24 inches in depth and  
within five feet of the right-of-way.

The location and description of the proposed lines or  
appertenances is more fully shown by three (3) copies of  
drawings attached to this application.

All work will be as directed by the County Commissioner or  
his designate in full accordance with Upshur County Road &  
Bridge Department policies and specifications.

Proposed construction will begin, if approved, on or after  
7th day of July, 1977.

FIRM: General Telephone Company of the Southwest

TITLE: *Shirley Chatman*  
PROJECT COORDINATOR

ADDRESS: P. O. Box 131  
Henderson, Texas 75652

Gladewater  
376197

*Approved*  
*7-11-77*

NOTICE OF PROPOSED INSTALLATION  
BURIED CABLE

Date 6-17-77

TO THE COMMISSIONER'S COURT OF Upshur COUNTY

% COUNTY JUDGE, Gilmer, Texas

Formal notice is hereby given that GENERAL TELEPHONE COMPANY of the SOUTHWEST proposes to place a buried communication line within the right-of-way of a County Road in Upshur County, Texas as follows:

The proposed cable is to be buried North along a dirt county road.

The proposed cable is to be buried on the West side of the right-of-way for 1549 feet.

Cable will be buried a minimum of 24 inches in depth and within five feet of the right-of-way.

The location and description of the proposed line and associated appurtenances is more fully shown by three copies of drawings attached to this notice. The line will be constructed and maintained on the County Road right-of-way in accordance with governing laws.

Notwithstanding any other provision contained herein, it is expressly understood that tender of this notice by the General Telephone Company of the Southwest does not constitute a waiver, surrender, abandonment or impairment of any property rights, franchise, easement, license, authority, permission, privilege or right now granted by law or may be granted in the future and any provision or provisions so construed shall be null and void.

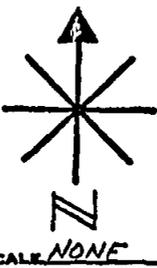
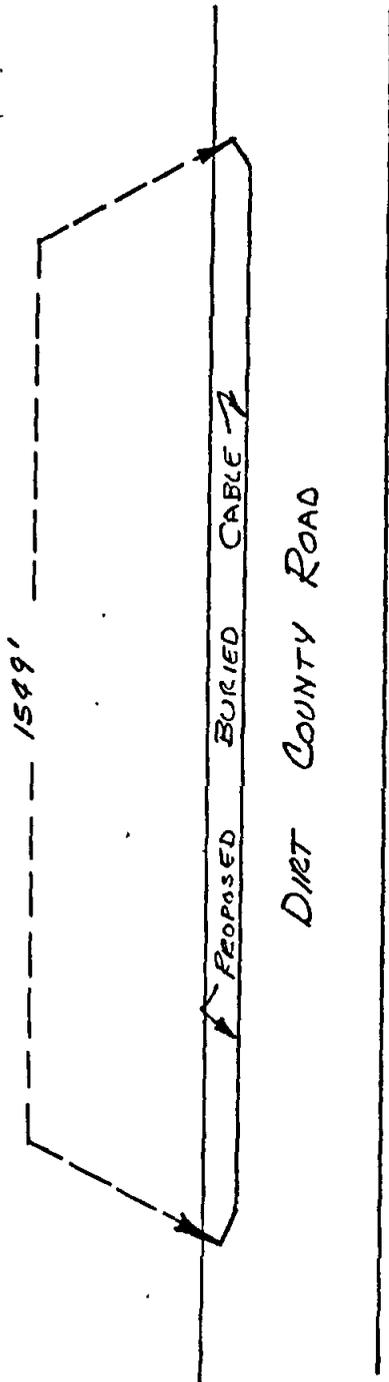
Construction of this line will begin on or after the 7th day of July 19 77.

General Telephone Company of the Southwest

By Shirley K. Chatham  
PROJECT COORDINATOR

Gladewater  
376197

Address P. O. Box 131  
Henderson, Texas 75652



FORM SD-172

AREA <u>EASTERN</u>		<b>GENERAL TELEPHONE COMPANY OF THE SOUTHWEST</b>	
W. O. NO. <u>376197</u>		LOCATION <u>GLADEWATER 5230</u>	
TAX DIST. <u>28509</u>		DESCRIPTION <u>COUNTY PERMIT FOR</u> <u>APP CHARLES MILLS</u>	
ENG'ND BY <u>JR &amp; TF</u> DATE <u>6-17-77</u>		SHEET <u>1</u> OF <u>1</u> SHEETS    SIZE <u>11 X 8 1/2</u>	
DRAWN BY <u>TF</u> DATE <u>6-17-77</u>			
APPROVED BY _____    DATE _____			
REVISED BY _____    DATE _____			

Almond

3 in Water Line

W White Oak

E

S

Almond

3 in Water Line

W White Oak

E

S

VOL 17 PG. 832

Alma

3... WATER L. O. C.

W White Oak

E

S

FILED  
J.B. HILL, JR.  
CLERK UPSHUR COUNTY

1977 JUL 25 AM 10:59

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

Date July 1, 1977

TO: THE UPSHUR COUNTY COMMISSIONERS COURT  
COUNTY OF UPSHUR  
GILMER, TEXAS

Formal notice is hereby given that Pritchett Water Supply Corp.  
whose principal address is P.O. Box 567, Gilmer, Texas  
does propose to place a Water line  
within the ROW of County Road Almond  
as follows: A 3in. main from Ambassador College to cross Almond  
road at intersection of Almond and White Oak road.

The location and description of the proposed lines or  
appertenances is more fully shown by three (3) copies of  
drawings attached to this application.

All work will be as directed by the County Commissioner or  
his designate in full accordance with Upshur County Road &  
Bridge Department policies and specifications.

Proposed construction will begin, if approved, on or after  
1 day of July, 1977.

FIRM: Pritchett Water Supply Corp.

TITLE: Operator *J.K. Page*

ADDRESS: Rt. #2, Box 163, Big Sandy, Tex. 75755

*Approved*  
7-11-77

FILED  
J.B. HILL, JR.  
CLERK UPSHUR COUNTY  
1977 JUL 25 AM 10:58

1977  
ELECTION JUDGES FOR SPECIAL AND  
GENERAL ELECTIONS

SOUTHEAST GILMER #1	Rex Shaw P. O. Box 1, Gilmer, Texas	Jr. High School
NORTHEAST GILMER #2	Mrs. Ted Fielden Rt. 2, Gilmer, Texas	Pine Acres Community Center
SOUTHWEST GILMER #3	Lois Graves 517 Kaufman, Gilmer, Texas	Intermediate School Gym
NORTHWEST GILMER #4	Sarah Greene Greenway, Gilmer, Texas	Upshur County Library
GLENWOOD #5	Mrs. J. A. Rash Route 5, Gilmer, Texas	Glenwood School Building
LAFAYETTE #6	Earl A. Adams Route 1, Pittsburg, Texas	Court House-Lafayette
BIG SANDY #7	Lucille Wimberly Rt. 2, Big Sandy, Texas	City Hall - Big Sandy
ABSENTEE #8	Frankie Hamberlin (when needed)	
WEST MOUNTAIN #9	Mrs. Faye Willeford Route 1, Gilmer, Texas	West Mountain City Hall
GRICE #10	M. O. Dacus Route 2, Winnsboro, Texas	Store - Grice
EWELL #12	A. F. Elwell Route 6, Gilmer, Texas	Union Ridge Community Center
SIMPSONVILLE #13	Mrs. R. A. Blundell Route 2, Gilmer, Texas	Court House - Simpsonville
PRITCHETT #15	Mrs. Ruth Snow Route 2, Big Sandy, Texas	Pritchett Community Center
ROCKY #16	Taylor Turman Route 2, Gladewater, Texas	American Legion Hall
DIANA #18	Mrs. Allen (Velma) Bland Route 1, Diana, Texas	Diana School
ORE CITY #19	Mrs. Wayne Bowers Box 135, Ore City, Texas	City Hall - Ore City
EAST MOUNTAIN #21	W. C. Mathis Route 1, Gilmer, Texas	Community Center
LATCH #23	Joe B. Thompson Route 3, Gilmer, Texas	Community Center
UNION HILL #24	M. C. Sturdivant Route 2, Gilmer, Texas	Union Hill School
ROSEWOOD #25	Florence Johnson Route 4, Gilmer, Texas	Community Center
UNION GROVE #27	Neil Cooper Route 2, Gladewater, Texas	Union Grove School

Ernest Brown  
Bernice Nobles

J.W. Meadows  
Charles L. Hill  
Wayne Darnman

FILED  
J.B. HILL, JR.  
CLERK UPSHUR COUNTY  
1977 JUL 25 AM 11:10

STATEMENT OF TAXABLE VALUES

THE STATE OF TEXAS                   §  
  §  
COUNTY OF UPSHUR                   §

I, the undersigned, Assessor and Collector of Taxes of UPSHUR COUNTY, TEXAS, DO HEREBY CERTIFY that the assessed value of property for the purposes of taxation in said UPSHUR COUNTY, as shown by the tax rolls of said County for the year 1976, which have been duly approved and which is the latest official assessment of said County, is as follows:

TOTAL REAL AND PERSONAL PROPERTY -----\$ 55,024,311.00

WITNESS MY HAND AND THE SEAL OF THE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS, this the 11th day of July, 1977.

  
Assessor and Collector of Taxes  
Upshur County, Texas

(Com.Crt.Seal)



FILED  
J.B. HILL, JR.  
CLERK UPSHUR COUNTY  
1977 JUN 25 AM 11:10

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS        §  
  §  
COUNTY OF UPSHUR        §

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, who, after being by me duly sworn, deposes and says that he is the \_\_\_\_\_ publisher of the Gilmer Mirror, which is a newspaper of general circulation in Upshur County, Texas, published in the City of \_\_\_\_\_, and that he published a true copy of the "Gilmer "NOTICE OF INTENTION OF UPSHUR COUNTY, TEXAS, TO ISSUE CERTAIN INDEBTEDNESS AND OF THE INTENTION OF THE COUNTY TO INCUR CLAIMS AND ACCOUNTS," hereto attached, in said paper on the following dates:

\_\_\_\_\_, 1977 and  
June 16  
\_\_\_\_\_, 1977;  
June 23

the date of the first publication being not less than fourteen (14) full days prior to the date set in such notice for the passage of the order authorizing the issuance of certain certificates.

Ray H. Greene

SWORN TO AND SUBSCRIBED BEFORE ME, this the \_\_\_\_\_ day of \_\_\_\_\_, 1977.  
  23  
June

Shirley L. Appaun  
Notary Public, Upshur County, Texas

(Notary Seal)



**PUBLIC NOTICE**  
 NO. 101-77  
**CITATION BY PUBLICATION**  
 PROJECT: F.M. 1002  
 PARCEL: 6

**THE STATE OF TEXAS AND UPSHUR COUNTY, TEXAS**

TO: R. D. White, whose place of residence is unknown, if living, and if dead, the unknown heirs, devisees and legal representatives of the said R. D. White, whose names and places of residence are unknown, the unknown spouse of R. D. White, if living, and if dead, the unknown heirs, devisees and legal representatives of the said R. D. White, whose names and places of residence are unknown, A. R. Dancer, deceased, and the unknown heirs, devisees and legal representatives of the said A. R. Dancer, whose names and places of residence are unknown, E. G. Dancer, if living, and if dead, the unknown heirs, devisees and legal representatives of the said E. G. Dancer, whose names and places of residence are unknown; L. F. Dancer Finney, if living, and if dead, the unknown heirs, devisees and legal representatives of the said L. F. Dancer Finney, whose names and places of residence are unknown; J. F. Finney, if living, and if dead, the unknown heirs, devisees and legal representatives of the said J. F. Finney, whose names and places of residence are unknown; John Dancer, if living, and if dead, the unknown heirs, devisees and legal representatives

of the said John Dancer, whose names and places of residence are unknown; J. R. Dancer, if living, and if dead, the unknown heirs, devisees and legal representatives of the said J. R. Dancer, whose names and places of residence are unknown, E. L. Dancer Paul, if living, and if dead, the unknown heirs, devisees and legal representatives of the said E. L. Dancer Paul, whose names and places of residence are unknown; J. W. Paul, if living, and if dead, the unknown heirs, devisees and legal representatives of the said J. W. Paul, whose names and places of residence are unknown.

You, and each of you, are hereby commanded and notified to appear at the hearing before the Special Commissioners appointed by the Judge of the District Court of Upshur County, Texas to assess the damages occasioned by the condemnation of the hereinafter described land to be held in the Courtroom of the Upshur County Courthouse in the City of Gilmer, Upshur County, Texas at 10:00 A.M. on the first Monday after the expiration of forty two (42) days from the date of issuance hereof, that is to say, on Monday the 27th day of June, 1977, and answer the petition of the State of Texas and Upshur County, Texas, both acting by and through the Commissioners' Court of said County, Plaintiffs in Cause No. 101-77, styled THE STATE OF TEXAS, ET AL, VS AUDIE JOHNSON, ET AL, in which the State of Texas and Upshur County, Texas, both acting by and through the Commissioners' Court of said County are Plaintiffs and in which the defendants are Audie Johnson, a resident of Upshur County, Texas;

Harold Anderson, a resident of Upshur County, Texas, Anita Anderson, a resident of Upshur County, Texas, Delores Hationquist, a resident of Smith County, Texas, R. D. White, if living, and if dead, the unknown heirs, devisees and legal representatives of the said R. D. White, whose names and places of residence are unknown, the unknown spouse of R. D. White, if living, and if dead, the unknown heirs, devisees and legal representatives of the said unknown spouse of R. D. White, whose names and places of residence are unknown, J. P. S. Dancer, deceased, and the unknown heirs, devisees and legal representatives of the said J. P. S. Dancer, whose names and places of residence are unknown, A. R. Dancer, deceased, and the unknown heirs, devisees and legal representatives of the said A. R. Dancer, whose names and places of residence are unknown, E. G. Dancer, if living, and if dead, the unknown heirs, devisees and legal representatives of the said E. G. Dancer, whose names and places of residence are unknown, L. F. Dancer Finney, if living, and if dead, the unknown heirs, devisees and legal representatives of the said L. F. Dancer Finney, whose names and places of residence are unknown, J. F. Finney, if living, and if dead, the unknown heirs, devisees and legal representatives of the said J. F. Finney, whose names and places of residence are unknown, John Dancer, if living, and if dead, the unknown heirs, devisees and legal representatives of the said John Dancer, whose names and places of residence are unknown, J. R. Dancer, if living, and if dead, the unknown heirs, devisees and legal representatives of the said J. R. Dancer, whose names and places of residence are unknown, E. L. Dancer Paul, if living, and if dead, the unknown heirs, devisees and legal representatives of the said E. L. Dancer Paul, whose names and places of residence are unknown, J. W. Paul, if living, and if dead, the unknown heirs, devisees and legal representatives of the said J. W. Paul, whose names and places of residence are unknown.

THENCE, NORTH 1 degree 04 minutes East along the center of Main Street as platted, a distance of 167.96 feet to an intersection with the proposed West right of way line of F.M. Road 1002, also being at right angle to and 50.0 feet from Engineers Survey Line Station 19+76.52.

THENCE, in a Northerly direction following a curve to the right of radius 2914.79 feet, a chord bears North 11 degrees 11 minutes East and has a length of 112.73 feet, a distance of 112.73 feet to a point in the South boundary line of a 302.17 acre tract owned by the First National Bank of Marshall;

THENCE, NORTH 89 degrees 36 minutes East with the South boundary line of said 302.17 acre tract, a distance of 102.60 feet to a point at right angle to and 50.0 feet from Engineers Survey Line Station 21+10.27 of F.M. 1002;

THENCE, in a southerly direction following a curve to the left of radius 2814.79 feet, a chord bears South 9 degrees 51 minutes West and has a length of 284.89 feet, a distance of 285.01 feet to the POINT OF BEGINNING, containing an area of 0.61 acre of land, of which 0.40 acre of land is in the dedicated street and existing road, leaving 0.21 acre of land, more or less.

You are notified that said hearing has been set for the date, hour and place stated above and to appear at the same and present such evidence as you may wish.

The interests of the above named defendants are that they either own or claim an interest in said property.

If this citation is not served within ninety (90) days after its issuance it will be returned forthwith.

GIVEN UNDER OUR HANDS at Gilmer, Upshur County, Texas this 13th day of May, 1977.

**SPECIAL COMMISSIONERS:**  
 Moody Dacus  
 C. H. Robinson  
 Tom E. Davis

GIVEN UNDER MY HAND AND SEAL OF OFFICE at Gilmer, Upshur County, Texas this 13th day of May, 1977.

Leo Williams  
 District Clerk

Upshur County, Texas  
 Came to hand the 18 day of May, 1977 at 2:30 o'clock P.M. and publication of the above Citation by Publication ordered made in the Gilmer Mirror once each week for four (4) consecutive weeks, the first publication to be at least twenty-eight (28) days before the return of the citation.

Doyle Johnson  
 Sheriff  
 Upshur County, Texas

By: Gregg Keller  
 Deputy

**Notice of Intention of Upshur County, Texas, to issue certain indebtedness and of the Intention of the County to incur claims and accounts.**

Notice is hereby given that on the 11th day of July, 1977, at 10:00 o'clock A.M., the

**LOYD FUNERAL HOME**

GILMER PH. 643-2577



Dear friends,

Psychologists are beginning to advise that a widow should be encouraged to put off all but the most pressing decisions for as long as it takes her to come to grips with the future. They point out that grieving takes time and must be allowed to run its course if the mourner is ever to pull herself together.

Which petition was filed with the Judge of the District Court of Upshur County, Texas on the 5th day of April, 1977, and the nature of which said suit is as follows:

The suit is a proceeding in eminent domain in which the State of Texas and Upshur County, Texas, acting by and through the Commissioners' Court of said County, are condemning at the request of the State Department of Highways and Public Transportation for highway purposes, which are public purposes, the following described tract of land situated in Upshur County, Texas, to wit:

Field Notes for Parcel 6  
 Being 0.21 acre of land, more or less, out of and a part of that certain 111.5 acre tract, called Block 21 of the E. Moro Survey, Abstract No. 4, Upshur County, Texas, said 111.5 acre tract being described in a deed from Clara C. Starr to R. D. White, dated July 17, 1902, recorded in Volume 11, Page 504, Upshur County Deed Records, said 0.21 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point, being North 88 degrees 56 minutes West

AN ORDER by the Commissioners' Court of Upshur County, Texas, authorizing the issuance of \$750,000 "UPSHUR COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 1977," dated August 1, 1977, for the purpose of paying all or a part of the contractual obligations to be incurred for the construction of public works (the construction and reconstruction of county roads and bridges) and for the purchase of materials, supplies, equipment and machinery and for the acquisition of land and rights of way for county roads; prescribing the form of the certificates and the form of interest coupons; authorizing claims and accounts to be incurred under the provisions of Article 2368a.1 so the same may be funded or exchanged for certificates; levying a continuing direct annual ad valorem tax on all taxable property within the limits of said County to pay the interest on said certificates and to create a sinking fund for the redemption thereof and providing for the assessment and collection of such taxes; and enacting provisions incident and relating to the subject matter and purpose of this order.

WHEREAS, under the provisions of Article 2368a.1, V.A.T.C.S., the Commissioners' Court of Upshur County, Texas, is authorized to issue certificates of obligation for the purpose of paying all or a part of contractual obligations to be incurred for the construction of public works (the construction and reconstruction of county roads and bridges) and for the purchase of materials, supplies, equipment and machinery and for the acquisition of land and rights of way for county roads; and

WHEREAS, notice of this Court's intention to issue certificates of obligation in the maximum principal amount of \$750,000 for such purposes has been duly published in the Gilmer Mirror, a newspaper of general circulation in Upshur County, Texas, on the 16 day of June, 1977, and the 23 day of June, 1977, the date of the first publication of such Notice being not less than fourteen (14) days prior to the date proposed for passage of the order authorizing the issuance of such certificates; and

WHEREAS, no petition of any kind or character has been filed with the County Clerk, any members of this Court or any other official of the County protesting the issuance of said certificates of obligation; and

WHEREAS, this Court is now authorized and empowered to proceed with the passage of an order authorizing the issuance of certificates of obligation in the principal amount of \$750,000 for the aforementioned purposes; now, therefore,

BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

11  
22  
1977

**SECTION 1:** The authorization of the certificates of obligation by this order shall precede the execution of the contract or contracts which are to be paid through the issuance and delivery thereof, but no contract shall be made payable from or by the issuance or delivery of claims and accounts incurred thereunder unless (1) competitive bids have been received and the contract awarded to the lowest and best bid or (2) the contract is not required to be let upon competitive bids by the provisions of applicable law.

**SECTION 2:** Claims and accounts are hereby authorized to be incurred to represent an undivided interest in the certificates of obligation authorized by this order and such claims and accounts shall be funded or exchanged for a like principal amount of such obligations, with any amount in excess of the principal amount of certificates so exchanged or delivered at any one time to be (a) paid in cash or (b) carried forward to a subsequent exchange of claims and accounts for such obligations.

**SECTION 3:** That the certificates of said County, to be known as "UPSHUR COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 1977," be and the same are hereby ordered to be issued in the principal sum of SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000), for the purpose of paying all or a part of the contractual obligations to be incurred for the construction of public works (the construction and reconstruction of county roads and bridges) and for the purchase of materials, supplies, equipment and machinery and for the acquisition of land and rights of way for county roads, under and by virtue of the Constitution and laws of the State of Texas, particularly The Certificate of Obligation Act of 1971, as amended.

**SECTION 4:** That said certificates shall be numbered consecutively from One (1) through Seven Hundred Fifty (750), shall each be in the denomination of One Thousand Dollars (\$1,000), aggregating SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000), shall be dated August 1, 1977, and shall become due and payable on February 1 in each of the years in accordance with the following schedule:

<u>CERTIFICATE NUMBERS</u> <u>(All Inclusive)</u>	<u>MATURITY</u>	<u>AMOUNT</u>
1 to 10	1978	\$ 10,000
11 to 25	1979	15,000
26 to 50	1980	25,000
51 to 80	1981	30,000
81 to 110	1982	30,000
111 to 140	1983	30,000
141 to 175	1984	35,000
176 to 210	1985	35,000
211 to 250	1986	40,000
251 to 290	1987	40,000
291 to 330	1988	40,000
-0-	1989	-0-
331 to 390	1990	60,000
391 to 455	1991	65,000
456 to 525	1992	70,000
526 to 595	1993	70,000
596 to 670	1994	75,000
671 to 750	1995	80,000

PROVIDED, HOWEVER, the County reserves the right to redeem the certificates of this series, in whole or any part thereof, on any interest payment date, at the price of par and accrued interest to the date fixed for redemption; PROVIDED, FURTHER, that at least thirty (30) days prior to any interest payment date upon which any of said certificates are to be redeemed, notice of redemption signed by the County Treasurer (specifying the serial numbers and amount of certificates to be redeemed) shall have been filed with FARMERS & MERCHANTS NATIONAL BANK, Gilmer, Texas (the paying agent named in each of said certificates); and if by the date so fixed for redemption the County shall have made available funds in amounts sufficient to pay the certificates to be redeemed and accrued interest thereon to the date of redemption, any certificate or certificates not presented for redemption shall cease to bear interest from and after the date so fixed for redemption.

SECTION 5: That said certificates shall bear interest from date to maturity at the rate of 6% per annum, such interest to be evidenced by proper coupons attached to each of said bonds, and said interest shall be payable on February 1, 1978, and semiannually thereafter on August 1 and February 1 in each year.

SECTION 6: That both principal of and interest on said certificates shall be payable in lawful money of the United States of America, without exchange or collection charges to the owner or holder, at the FARMERS & MERCHANTS NATIONAL BANK, Gilmer, Texas, upon presentation and surrender of certificates or proper coupons.

SECTION 7: That the seal of the Commissioners' Court may be impressed on each of said certificates, or in the alternative, a facsimile of such seal may be printed on said certificates. The certificates shall be executed by the signature of the County Judge, countersigned by the signature of the County Clerk, and registered by the County Treasurer, and the interest coupons attached to said certificates may be executed by the imprinted facsimile signatures of the County Judge and County Clerk. Execution in such manner shall have the same effect as if such coupons had been signed by the County Judge and County Clerk in person by their manual signatures.

SECTION 8: That the form of said certificates shall be substantially as follows:

NO. 1 UNITED STATES OF AMERICA \$1,000

STATE OF TEXAS

COUNTY OF UPSHUR

UPSHUR COUNTY, TEXAS, CERTIFICATE OF OBLIGATION  
SERIES 1977

The COUNTY OF UPSHUR, a political subdivision and body corporate of the State of Texas, FOR VALUE RECEIVED, acknowledges itself indebted to and hereby promises to pay to bearer the sum of

ONE THOUSAND DOLLARS

(\$1,000), in lawful money of the United States of America, on the 1st day of February, 1995, with interest thereon from date to maturity at the rate of SIX PER CENTUM, payable on February 1, 1978, and semiannually thereafter on August 1 and February 1 in each year, and interest falling due on or prior to maturity hereof is payable only upon presentation and surrender of the interest coupons hereto attached as they severally become due.

BOTH PRINCIPAL OF and interest on this certificate are hereby made payable at the FARMERS & MERCHANTS NATIONAL BANK, Gilmer, Texas without exchange or collection charges to the owner or holder, and for the prompt payment of this certificate and the interest coupons hereto attached, the full faith, credit and resources of Upshur County, Texas, are hereby irrevocably pledged.

THIS CERTIFICATE OF OBLIGATION is one of a series of Seven Hundred Fifty (750) certificates, numbered consecutively from One (1) through Seven Hundred Fifty (750), each in the denomination of One Thousand Dollars (\$1,000), aggregating in principal amount the sum of SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000), issued for the purpose of paying all or a part of the contractual obligations to be incurred for the construction of public works (the construction and reconstruction of county roads and bridges) and for the purchase of materials, supplies, equipment and machinery and for the acquisition of land and rights of way for county roads; in accordance with the Constitution and laws of the State of Texas, particularly The Certificate of Obligation Act of 1971, as amended, and pursuant to an order passed by the Commissioners' Court of Upshur County, Texas, which order is of record in the Minutes of said Court.

AS SPECIFIED in the order hereinabove mentioned, the County reserves the right to redeem the certificates of this series, in whole or any part thereof, on any interest payment date, at the price of par and accrued interest to the date fixed for redemption; PROVIDED, HOWEVER, that at least thirty (30) days prior to any interest payment date upon which any of said certificates are to be redeemed, notice of redemption signed by the County Treasurer (specifying the serial numbers and amount of certificates to be redeemed) shall have been filed with FARMERS & MERCHANTS NATIONAL BANK Gilmer, Texas; and if by the date so fixed for redemption the County shall have made available funds in amounts sufficient to pay the certificates to be redeemed and accrued interest thereon to the date of redemption, any certificate or certificates not presented for redemption shall cease to bear interest from and after the date so fixed for redemption.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things required to be done precedent to and in the issuance of this certificate, and the series of which it is a part, have been properly done, have happened and have been performed in regular and due time, form and manner as required by law; that a direct annual ad valorem tax, sufficient to pay the interest on this certificate and the principal hereof at maturity has been levied upon all taxable property in said County, and will continue to be levied and collected and applied in payment thereof; and that the total indebtedness of said County, including this certificate and the series of which it is a part, does not exceed any constitutional or statutory limitation.

JR JR  
6 11 79

IN TESTIMONY WHEREOF, the Commissioners' Court of Upshur County, Texas, in accordance with the provisions of Article 717j-1, V.A.T.C.S., has caused the seal of said Court to be impressed or a facsimile thereof to be printed hereon, and this certificate to be executed by the signature of the County Judge, countersigned by the signature of the County Clerk, and registered by the County Treasurer, and the interest coupons hereto attached to be executed by the imprinted facsimile signatures of the County Judge and County Clerk; the date of this certificate in conformity with the order above referred to, being the 1st day of August, 1977.

*Ernest Dean*  
County Judge, Upshur County, Texas

COUNTERSIGNED:

*J. B. Lacey*  
County Clerk, Upshur County, Texas

REGISTERED:

*C. B. Pittman*  
County Treasurer, Upshur County, Texas

SECTION 9: The form of said interest coupons shall be substantially as follows:

NO. 1 ON THE 1ST DAY OF February, \$ 30.00  
19 78,

unless the certificate to which this coupon pertains has been properly called for redemption in accordance with its terms, the COUNTY OF UPSHUR, a political subdivision and body corporate of the State of Texas hereby promises to pay to bearer at the FARMERS & MERCHANTS NATIONAL BANK, Gilmer, Texas, the sum of

THIRTY DOLLARS

(\$ 30.00), in lawful money of the United States of America, without exchange or collection charges to the owner or holder, said sum being 6 months' interest due that day on "UPSHUR COUNTY, TEXAS, CERTIFICATE OF OBLIGATION, SERIES 1977," dated August 1, 1977. Certificate No. 1.

*J. B. Lacey*  
County Clerk

*Ernest Dean*  
County Judge

SECTION 10: That to provide for the payment of the debt service requirements on the said certificates, being (i) the interest on said certificates and (ii) a sinking fund for their redemption at maturity or a sinking fund of 2% (whichever amount shall be greater) there shall be and there is hereby levied for the current year and each succeeding year thereafter while said certificates or interest thereon shall remain outstanding and unpaid, a sufficient tax on each one hundred dollars' valuation of taxable property in said County, adequate to pay such debt service requirements, full allowance being made for delinquencies and costs of collection, said tax

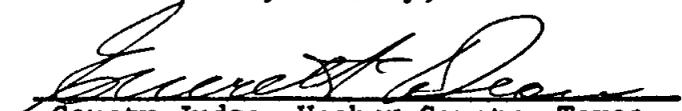
1978  
AUG 1 1978

shall be assessed and collected each year and applied to the payment of said debt service requirements and the same shall not be diverted to any other purpose. The taxes so levied shall be paid into a fund known as "SPECIAL UPSHUR COUNTY, TEXAS, CERTIFICATES OF OBLIGATION FUND, SERIES 1977," which is hereby established for the payment of the obligations herein authorized. The Commissioners' Court hereby declares its purpose and intent to provide and levy a tax legally and fully sufficient for such certificates, it having been determined that the existing and available taxing authority of the County for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding indebtedness.

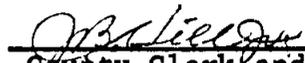
SECTION 11: That the certificates of obligation herein authorized to be issued shall be used, issued and delivered for the purpose of paying contractual obligations incurred by the County for the purposes specified in Section 3 of this order.

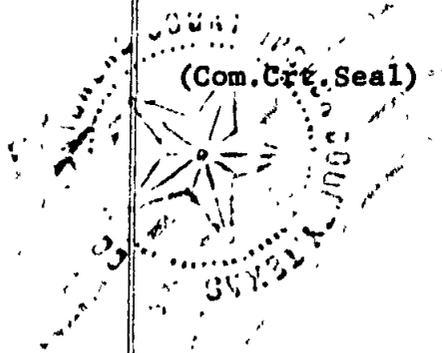
SECTION 12: The certificates herein authorized shall be under the joint custody of the County Judge, County Clerk and County Treasurer until such time as (1) contracts have been duly and legally entered into by the County for the accomplishment of the purposes for which the certificates are authorized and (2) the work has been done under the contracts so authorized and payment for the work done is to be made or such certificates are to be exchanged for claims and accounts incurred for such purpose.

PASSED AND APPROVED, this the 11th day of July, 1977.

  
County Judge, Upshur County, Texas

ATTEST:

  
County Clerk and Ex-Officio Clerk  
of the Commissioner Court of  
Upshur County, Texas



FILED IN 1977  
CLERK OF COUNTY CLERK

MINUTES PERTAINING TO AN ORDER AUTHORIZING  
THE ISSUANCE OF \$750,000 "UPSHUR COUNTY,  
TEXAS, CERTIFICATES OF OBLIGATION, SERIES  
1977," DATED AUGUST 1, 1977

THE STATE OF TEXAS            §  
  §  
COUNTY OF UPSHUR           §

ON THIS, the 11th day of July, 1977, the Commissioners' Court of Upshur County, Texas, convened in regular session at the regular meeting place thereof in the Courthouse at Gilmer, Texas, the meeting being open to the public, and notice of said meeting having been given as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members being present and in attendance, to wit:

EVERETT DEAN	COUNTY JUDGE
MRS. OFFIE NOBLES	COMMISSIONER, PRECINCT 1
J. W. MEADOWS	COMMISSIONER, PRECINCT 2
CHARLES STILL	COMMISSIONER, PRECINCT 3
FLOYD DRENNAN	COMMISSIONER, PRECINCT 4

and with the following absent: NONE, constituting a quorum; and among other business considered at said meeting, an order was submitted to the Commissioners' Court for passage, such order being entitled as follows:

"AN ORDER by the Commissioners' Court of Upshur County, Texas, authorizing the issuance of \$750,000 'UPSHUR COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 1977,' dated August 1, 1977, for the purpose of paying all or a part of the contractual obligations to be incurred for the construction of public works (the construction and reconstruction of county roads and bridges) and for the purchase of materials, supplies, equipment and machinery and for the acquisition of land and rights of way for county roads; prescribing the form of the certificates and the form of interest coupons; authorizing claims and accounts to be incurred under the provisions of Article 2368a.1 so the same may be funded or exchanged for certificates; levying a continuing direct annual ad valorem tax on all taxable property within the limits of said County to pay the interest on said certificates and to create a sinking fund for the redemption thereof and providing for the assessment and collection of such taxes; and enacting provisions incident and relating to the subject matter and purpose of this order."

The order was read in full. Thereupon, Commissioner J. W. Meadows made a motion that the order be passed finally. The motion was seconded by Commissioner Charles Still and carried by the following vote:

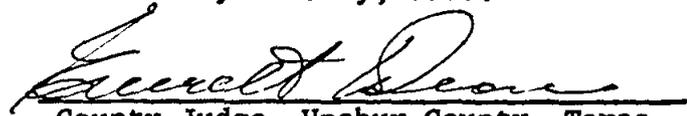
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AYES: County Judge Dean and Commissioners Nobles,  
Meadows, Still and Drennan.

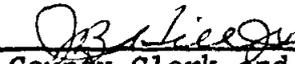
NOES: None.

The Presiding Officer then announced that the order had been finally passed and adopted.

MINUTES APPROVED, this the 11th day of July, 1977.

  
County Judge, Upshur County, Texas

ATTEST:

  
County Clerk and Ex-Officio Clerk  
of the Commissioners' Court of  
Upshur County, Texas

(Com. Crt. Seal)

1977 JUL 11 2 53 PM '77

6-11-77  
11:00 AM  
11:00 AM  
11:00 AM

FILED  
J. H. HILL, JR.  
CLERK UPSHUR COUNTY  
1977 JUL 25 AM 11:08

MINUTES RELATING TO ORDER CANCELLING  
CERTAIN UPSHUR COUNTY, TEXAS, CERTIFICATES  
OF OBLIGATION, SERIES 1974.

THE STATE OF TEXAS                    §  
  §  
COUNTY OF UPSHUR                   §

ON THIS, the 11th day of July, 1977, the Commissioners' Court of Upshur County, Texas, convened in regular session at the regular meeting place thereof in the Courthouse at Gilmer, Texas, the meeting being open to the public and notice of said meeting having been given as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members of said Court being present and in attendance, to wit:

EVERETT DEAN	COUNTY JUDGE
MRS. OFFIE NOBLES	COMMISSIONER, PRECINCT 1
J. W. MEADOWS	COMMISSIONER, PRECINCT 2
CHARLES STILL	COMMISSIONER, PRECINCT 3
FLOYD DRENNAN	COMMISSIONER, PRECINCT 4

and with the following absent: NONE, constituting a quorum, and among other business considered at said meeting, an order was submitted to the Commissioners' Court for passage, such order being entitled as follows:

"AN ORDER by the Commissioners' Court of Upshur County, Texas, cancelling certain Series 1974 Upshur County, Texas, Certificates of Obligation in the principal amount of \$105,000."

The order was read in full. Thereupon, Commissioner Floyd Drennan made a motion that the order be passed finally. The motion was seconded by Commissioner J. W. Meadows and carried by the following vote.

AYES: County Judge Dean and Commissioners Nobles, Meadows, Still and Drennan.

NOES: None.

The Presiding Officer then announced that the order had been finally passed and adopted.

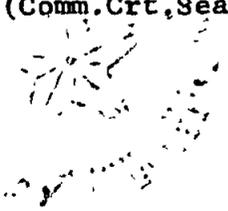
MINUTES APPROVED, this the 11th day of July, 1977.

Everett Dean  
County Judge, Upshur County, Texas

ATTEST:

J. H. Hill, Jr.  
County Clerk and Ex-Officio Clerk  
of the Commissioners' Court of  
Upshur County, Texas

(Comm. Crt. Seal)



AN ORDER by the Commissioners' Court of Upshur County, Texas, cancelling certain Series 1974 Upshur County, Texas, Certificates of Obligation in the principal amount of \$105,000.

WHEREAS, on the 15th day of February, 1974, this Commissioners' Court entered into a contract with Besco Construction Company & Associates for the remodeling of the Upshur County Courthouse and authorized the issuance of up to \$400,000 Upshur County, Texas, Certificates of Obligation, Series 1974, in partial payment thereof, and

WHEREAS, the work to be done under the aforesaid contract has been completed and the appropriate officials of the County have duly accepted said work and final estimate numbered 15 has been paid by certificates of obligation numbered 288 through 295 in the amount of \$8,000 and a cash payment in the amount of \$49,640.00, making a total final payment of \$57,640.00, and

WHEREAS, it is now proper for this Commissioners' Court to cancel the unissued certificates of obligations in the total amount of \$105,000, and being numbered 296 through 400, all dated March 1, 1974, and maturing on March 1, 1989; now therefore,

BE IT ORDERED BY THE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

SECTION 1: That all recitals contained in the preamble hereof are hereby found to be true and correct and are hereby adopted and approved as a part of the judgment of this Commissioners' Court and all work now having been satisfactorily completed under said contract and the same formally accepted by this Court and it appearing that no person, firm, corporation or trust estate has given notice in writing or otherwise to any member of this Court or officer of this County of any lien for any materials, apparatus, fixtures, machinery or labor furnished to the said contractor, it is hereby found and determined that the balance of said unissued certificates of obligation, together with all interest coupons thereto; should be cancelled and destroyed. Said certificates to be cancelled and destroyed being described as follows, to wit:

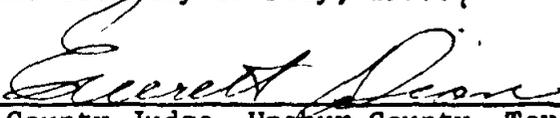
\$105,000 "UPSHUR COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 1974," dated March 1, 1974, numbered 296 through 400, maturing March 1, 1989, and all interest coupons thereto attached whether matured or unmatured. Said certificates of obligation being in the principal amount of \$1,000.

SECTION 2: That the County Judge, County Clerk and County Treasurer are hereby directed to perforate, tear up or otherwise destroy the certificates of obligation which have been ordered cancelled and to execute an affidavit that the same has been

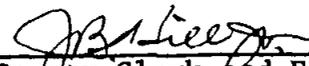
VOL 17 PG. 850

accomplished by the County officials in the presence of each other; such affidavit shall be entered as Exhibit A to this order in the official records of the Commissioners' Court.

PASSED AND APPROVED this the 11th day of July, 1977.

  
County Judge, Upshur County, Texas

ATTEST:

  
County Clerk and Ex-Officio Clerk  
of the Commissioners' Court of  
Upshur County, Texas

(Com. Crt. Seal)

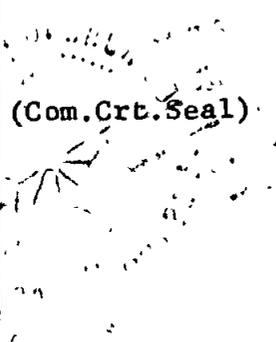


EXHIBIT A-03  
CLERK OF DISTRICT COURT  
UPSHUR COUNTY, TEXAS

AFFIDAVIT

THE STATE OF TEXAS           §  
  §  
COUNTY OF UPSHUR           §

BEFORE ME, the undersigned authority, on this day personally appeared EVERETT DEAN, County Judge; J. B. HILL, JR., County Clerk, and C. H. PITMAN, County Treasurer, all of Upshur County, Texas, who, after being by me duly sworn, depose and say that said County Officials have, in the presence of each other, cancelled, perforated, torn up and otherwise destroyed the following certificates of obligation together with all interest coupons thereto attached:

\$105,000 "UPSHUR COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 1974," dated March 1, 1974, numbered 296 through 400, maturing March 1, 1989, and being each in the denomination of \$1,000, and all interest coupons thereto attached whether matured or unmatured.

WITNESS OUR OFFICIAL SIGNATURES, this the 11th day of July, 1977

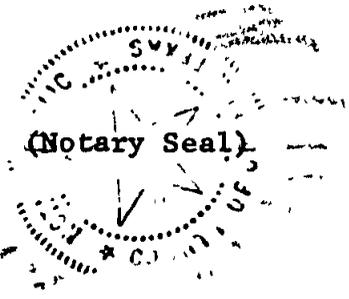
*Everett Dean*  
County Judge, Upshur County, Texas

*J. B. Hill, Jr.*  
County Clerk, Upshur County, Texas

*C. H. Pitman*  
County Treasurer, Upshur County, Texas

SWORN TO AND SUBSCRIBED BEFORE ME, this the 11 day of July, 1977.

*Bobbie Hankins*  
Notary Public, Upshur County, Texas



VOL 17 PG 852

THE STATE OF TEXAS

COUNTY OF Upshur

BE IT REMEMBERED, that on this the 30th day of June A. D., 19 77, the Commissioners' Court of Upshur County, Texas, duly convened and now sitting as a Board of Equalization for the year 1977, convened for the purpose of reviewing all renditions made to Upshur County, Texas, and after reviewing said renditions and hearing evidence pertaining to the value of the properties rendered, it is the opinion of the Board of Equalization of Upshur County, that the persons, companies and corporations listed below should be cited to appear before the Board of Equalization of Upshur County, Texas, to show cause why their renditions should not be raised or lowered and the County Clerk of Upshur County is hereby notified and directed to cite the following named persons, companies, and corporations to be and appear before the Board of Equalization of Upshur County, Texas, on the 12th day of July A. D., 19 77, as follows:

<u>NAME</u>	<u>ADDRESS</u>
Amerada Hess Corporation	Tulsa, Oklahoma 74102
American Petrofina Company of Texas	Dallas, Texas 75221
Amoco Production Company	Houston, Texas 77001
Apco Oil Corporation	Oklahoma City, Oklahoma 73101
Ashland Oil, Inc.	Houston, Texas 77001
Atlantic Richfield Company	Dallas, Texas 75221
Barnett, Marguerite ( Miss)	Dallas, Texas 75206
Barnickel, Wm. S. & Company	St. Louis, Missouri 63102
Blake, Jack E.	Midland, Texas 79702
Bradley Producing Corporation, The	Wellsville, N. Y. 14895
Bunyard, R. H.	Mineola, Texas 75773
Buttram Energies Inc.	Oklahoma City, Oklahoma 73116
Campbell Air Service, Inc.	Vivian, Louisiana 71082
Cargill, Robert	
% G. N. Stovall, Agent	Longview, Texas 75601
Champlin Petroleum Company	Enid, Oklahoma 73701
Chevron U.S.A. Inc.	Midland, Texas 79701
Cities Service Oil Company	Tulsa, Oklahoma 74102
Cities Service Company	Tulsa, Oklahoma 74102
Cleroy Inc.	Tulsa, Oklahoma 74103
Delta Drilling Company	Tyler, Texas 75701
Delta Drilling Company	
Retirement Fund #234	Tyler, Texas 75701
Enserch Exploration, Inc.	Dallas, Texas 75201
Exxon Corporation	Houston, Texas 77001
Fair Oil, Ltd.	Tyler, Texas 75710
Foster, Mrs. Claire Smith	Longview, Texas 75601
Foster Petroleum Corporation	Bartlesville, Oklahoma 74003
Gas Producing Enterprises, Inc.	Houston, Texas 77046
General American Oil Company of Texas	Dallas, Texas 75206
General Crude Oil Company	Houston, Texas 77001
Getty Oil Company	Houston, Texas 77001
Griffith, J. W.	Longview, Texas 75601
Gulf Oil Corporation	Houston, Texas 77001
Kirby Exploration Company	Houston, Texas 77001
Lacy, R., Inc.	Longview, Texas 75601
Lanroy Inc.	Tulsa, Oklahoma 74103
Lasca, Inc.	Fort Worth, Texas 76102

Pg. 2-Citation, UPSHUR COUNTY, TEXAS  
10:00 A.M. Meeting, July 12, 1977

McBride, W. C. -- Silurian Oil Company	St. Louis, MO 63105
McGinley, J. R., Jr.	Tulsa, Oklahoma 74103
McGinley, J. R.	Tulsa, Oklahoma 74103
McGinley, P.A.	Tulsa, Oklahoma 74103
McGinley, Zulema T.	Tulsa, Oklahoma 74103
McGroy Inc.	Tulsa, Oklahoma 74103
Marathon Oil Company	Houston, Texas 77001
Missouri Pacific Railroad Company	Dallas, Texas 75207
Mobil Oil Corporation	Dallas, Texas 75221
Nemours Corporation	Shreveport, LA 71101
Nichols, Jno. W., Trustee	Oklahoma City, Oklahoma 73102
O'Brien, P. F.	Shreveport, Louisiana 71101
Phillips, Loyce Estate	Gladewater, Texas 75647
Phillips Petroleum Company	Houston, Texas 77001
Pittsburg Petroleum Company	San Antonio, Texas 78205
Reynolds, John J., Inc.	New York, N. Y. 10017
Rudman Resources, Inc.	Dallas, Texas 75201
Schoellkopf, Caroline Hunt - Separate	Dallas, Texas 75202
Shell Oil Company	Houston, Texas 77001
Smith, Mrs. Verne M.	Longview, Texas 75601
Smith, Mrs. Verne Monday, Trustee of	
The Est. of W. Bruner Smith	Longview, Texas 75601
Steele, B. R	
% Finney & Associates	Houston, Texas 77055
Southern Union Production Company	Dallas, Texas 75206
Southwestern Electric Power Company	Longview, Texas 75601
Sun Oil Company (Delaware)	Dallas, Texas 75221
Tenneco Oil Company	Houston, Texas 77001
Texaco Inc.	Houston, Texas 77052
Texas Pacific Oil Co., Inc.	Dallas, Texas 75250
Victory, Rose D.	Austin, Texas 78745
Western Gas Corporation	
"Successor by Merger to Southern Gas Company"	Longview, Texas 75601
Wise, Watson W.	Tyler, Texas 75710
Wisembaker, Fix & Associates	Tyler, Texas 75702
Young, Frances Fry	Fort Worth, Texas 76102

## AGENTS &amp; CLIENTS:

Associated Tax Consultants	Dallas, Texas 75235
Clarke & Company	Houston, Texas 77046
Cullers-Bailey & Company	Abilene, Texas 79604
James A. Hall & Associates, Inc.	Houston, Texas 77002
Kirkwood & Darby	Fort Worth, Texas 76102
Meredith, Cochran & Parks	Dallas, Texas 75221
Property Tax Service Company	Dallas, Texas 75247
Robert D. Rash & Associates	Garland, Texas 75042
Slavik, Edward W. & Company	Corpus Christi, Texas 78412

## UTILITIES, PIPELINES, ETC.:

American Petrofina Pipeline Company	Dallas, Texas 75221
American Telephone & Telegraph Company	Dallas, Texas 75222
Amoco Pipeline Company	Houston, Texas 77001
Arco Pipe Line Company	Independence, Kansas 67301
Cities Service Pipe Line Company	Tulsa, Oklahoma 74102
Continental Telephone Company of Texas	Dallas, Texas 75207
Dowell Division of the Dow Chemical Company	Houston, Texas 77027
Entex, Inc.	
c/o R. J. Carby	Longview, Texas 75601
Equico Lessors	Minneapolis, Minnesota 55440
Exxon Gas System, Inc.	Houston, Texas 77001
Exxon Pipeline Company	Houston, Texas 77001
General Telephone Company of the Southwest	San Angelo, Texas 76901

Pg. 3-Citation, UPSHUR COUNTY, TEXAS  
10:00 A.M. Meeting, July 12, 1977

Gulf Oil Corporation	Houston, Texas 77001
Gulf Refining Company	Houston, Texas 77001
International Business Machines Corporation	Armonk, New York 10504
Koch Oil Company A Div. of Koch Industries Inc. c/o Webb B. Cooley, Jr. & Company	
McClung, Don & Mrs. D. B. Moyers c/o Gulf Oil Corporation	Dallas, Texas 75219
McMurrey Pipe Line Company	Houston, Texas 77001
Mobil Pipe Line Company	Houston, Texas 77001
NCR Corporation	Dallas, Texas 75221
Shell Pipe Line Corporation	Dayton, Ohio 45479
Sohio Pipe Line Company	Houston, Texas 77001
Southwestern Bell Telephone Company	Cleveland, Ohio 44115
Southwestern Electric Power Company	Dallas, Texas 75222
St. Louis Southwestern Railway Co. of Texas	Longview, Texas 75601
Sun Pipe Line Company	Tyler, Texas 75710
Texas Pipe Line Company, The	Tulsa, Oklahoma 74102
Texoma Pipe Line Company	Houston, Texas 77052
United Gas Pipe Line Company	Tulsa, Oklahoma 74102
Warren Petroleum Company	Houston, Texas 77001
West Texas Gulf Pipe Line Company	Houston, Texas 77001
Western Gas Corporation "Successor by Merger to Southern Gas Company"	Houston, Texas 77001
Western Union Telegraph Company, The	Longview, Texas 75601
	Dallas, Texas 75240