



## UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

April 17, 1978

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

1978 MAY -1 AM 10:40

Commissioners Court met in Special Session with all members present.

Judge Dean read the minutes of April 10, 1978. Motion was made by J. W. Meadows, seconded by Floyd Drennan for the minutes to stand as read, with the name of Gilmer Savings & Loan Assoc. being placed with the return of taxes, request made by W. C. Jones, Tax Assessor. Motion carried.

City Councilman, Charles Patterson met with the Court asking that a date be set for a joint meeting of the City & County in concern of County Fire protection. Motion was made by Judge Dean to set the meeting for 4:00 P. M., Thursday, April 20 in the District Court-room, seconded by Floyd Drennan. Motion carried.

Charles Still made a motion, seconded by Floyd Drennan to approve a special road use agreement in Precinct 3 with Exxon Oil Co., with correction to be made in permit of payment from \$2,000, to payment of \$4,000 of item # 4. Motion carried. (copy of contract attached)

Permit application for special road use agreement with Maxwell-Herring Drilling Co., for use of Scrub Pine road of Precinct # 3. Charles Still made a motion to approve application, seconded by Floyd Drennan. Motion carried. (copy attached)

Motion was made by Bernice Nobles, seconded by J. W. Meadows to approve a permit application for a driveway culvert on ROW of Green Hills Road for Joe & Charles Snyder. Motion carried. (copy attached)

Motion was made by Charles Still, seconded by Floyd Drennan to approve a permit application for ARKLA Gas Co. to place a 2" welded gas line within the ROW of Gage Road. Motion carried. (copy attached)

Motion was made by Charles Still, seconded by Floyd Drennan to approve a permit application for a driveway culvert from Bonnie Stewart to be placed within ROW of Dodd Road. Motion carried. (copy attached)

Motion was made by Bernice Nobles, seconded by J. W. Meadows to approve a permit application from B. L. Nelson & Assoc., to place a water line within the ROW of North Point Pleasant Road. Motion carried. (copy attached.)

Charles Still made a motion, seconded by J. W. Meadows, for Randy Ragsdale with Transport Life Ins. Co., to have permission to talk with County employees about a cancer insurance policy and give County Auditor the authority to deduct Premium from Employee pay check. County Auditor, Keith Barber, met with the Court asking that a nine month budget be adopted so that this would work out with the earlier approved changing fiscal year from Jan. 1st. to Dec 31st. to Oct. 1st. to Sept. 30th. Floyd Drennan made a motion, seconded by Charles Still to approve the order of amending the budget. Motion carried.

Motion was made by Judge Dean, seconded by J. W. Meadows, to approve new employment of Susan Cross, Deputy Clerk at \$404.25 per month and Karen Glenn, Chief Deputy at \$484.00 per month to work with Justice of Peace, E. S. Simpson. Motion carried.

J. W. Meadows made a motion, seconded by Floyd Drennan to advertise for bids on two used cars of the Sheriff Dept. The bids will be opened at 9:00 A..M., May 1st., 1978. Motion carried. (copy of ad attached.)

Floyd Drennan made am motion, seconded by J. W. Meadows to approve the unpaid bills. Motion carried.

J. W. Meadows made a motion, seconded by Bernice Nobles to adjourn. Motion carried.

*Bernice Nobles*

*J. W. Meadows*

*Charles Still*

*Floyd Drennan*

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS |  
COUNTY OF UPSHUR | KNOW ALL MEN BY THESE PRESENTS

The undersigned, Maxwell-Herring Drilling Co.,  
P. O. Box 1297, Tyler, Texas  
hereinafter referred to as First Party, enters into and makes  
an agreement with Upshur County Commissioner of Precinct No. 3,  
Upshur County, Texas, and in order to get material to market  
it is necessary to use a portion of Upshur County roads located  
in Precinct No. 3, over which Commissioner has jurisdiction  
and obligation to maintain in good repair and both parties  
being aware of possible damage to said roads as a result of  
hauling on and over same enter into the following agreement.

1.

First Party agrees to use only that section of  
(describe road) Scrub Pines Road

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2.

First Party agrees to use its vehicles in such a  
manner as not to block or interfere with other traffic on said  
road so that said road will be open to travel by the public  
at all times.

3.

First Party agrees to grade, maintain and otherwise  
repair said road using its own equipment, labor and materials,  
if any needed, during the duration of time that First Party  
is removing drilling equipment from its lands located  
in Precinct No. 3, Upshur County.

4.

First Party agrees to put said road back into the  
same condition as it was prior to the commencement of hauling  
operations on the part of First Party.



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PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

Date April 12, 1978

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

Formal notice is hereby given that Joe and Charles Snider  
whose principal address is Glenwood Acres, Gilmer, Texas 75644  
does propose to place a driveway culvert  
within the ROW of County Road Greenhills Road  
as follows:

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  
\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

FIRM: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Return to:  
M. I. Davis  
Glenwood Acres  
Gilmer, Texas 75644

*approved*  
*4-17-78*

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

Date April 13, 1978

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

Formal notice is hereby given that ARKANSAS LOUISIANA GAS CO  
whose principal address is 208 W. Harrison, Gilmer, Texas  
does propose to place a 2" welded gas line  
within the ROW of County Road Gage Rd, to install 90' 2" welded  
as follows: gas line on Gage Rd in Pritchett off of Hwy 155  
in Upshur County

The location and description of the proposed lines or appertenances  
is more fully shown by three (2) 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  
13 day of April 19 78

Firm: ARKANSAS LOUISIANA GAS CO

Title: T. H. Stephenson Manager

Address: Box 859,  
Gilmer, Texas 75644

*approved*  
*4-17-78*





PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

Date April 17, 1978

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

Formal notice is hereby given that Bonnie Stewart  
whose principal address is Rt. 4 Box 46, Gilmer, Texas  
does propose to place a driveway culvert  
within the ROW of County Road \_\_\_\_\_

as follows: Dodd Rd between Ash Road & Apple tree 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

FIRM: Bonnie Stewart

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

*Approved*  
*4-17-78*

REQUEST FOR NEW EMPLOYMENT OR CHANGE IN STATUS OF EMPLOYEE

April 17, 1978 19

Payroll Name of Employee Karen Glenn

Effective Payroll Date April 30, 1978

Department Justice of the Peace Pct. 1

Address Where Employed

New Employment  Dropped  Resignation  Salary Increase  Location Change

Promotion  Transfer  Change to or from hourly or daily basis  Car Allowance

Present Title Present Salary \$

Proposed Title Chief Deputy Proposed Salary \$ 484.00 / mo.

Have Services Been Satisfactory?

Reason For Resignation or Drop:

Name of Employee Being Replaced

Remarks

[Signature] Signature of Official

COMMISSIONERS' COURT ACTION

Presented to Court 19

Approved 19

Disapproved 19

Other Action

Recorded on Page Volume Commissioners' Court Minutes

(TO BE SUBMITTED IN TRIPLICATE FOR ALL NEW EMPLOYEES, EMPLOYEES CHANGING STATUS OR LEAVING SERVICE AND TRANSFERS)

[Handwritten mark]

**REQUEST FOR NEW EMPLOYMENT OR CHANGE IN STATUS OF EMPLOYEE**

April 17, 1978 19    

Payroll Name of Employee Susan Cross

Effective Payroll Date April 30, 1978

Department Justice of the Peace Pct. 1

Address Where Employed \_\_\_\_\_

New Employment  Dropped  Resignation  Salary Increase  Location Change

Promotion  Transfer  Change to or from hourly or daily basis  Car Allowance

Present Title \_\_\_\_\_ Present Salary \$ \_\_\_\_\_

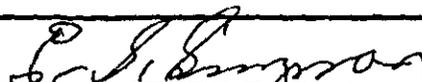
Proposed Title Clerk - Deputy Proposed Salary \$ \$404.25 / mo.

Have Services Been Satisfactory? \_\_\_\_\_

Reason For Resignation or Drop: \_\_\_\_\_

Name of Employee Being Replaced \_\_\_\_\_

Remarks \_\_\_\_\_

  
Signature of Official

**COMMISSIONERS' COURT ACTION**

Presented to Court \_\_\_\_\_ 19 \_\_\_\_\_

Approved \_\_\_\_\_ 19 \_\_\_\_\_

Disapproved \_\_\_\_\_ 19 \_\_\_\_\_

Other Action \_\_\_\_\_

Recorded on Page \_\_\_\_\_ Volume \_\_\_\_\_ Commissioners' Court Minutes

(TO BE SUBMITTED IN TRIPPLICATE FOR ALL NEW EMPLOYEES, EMPLOYEES CHANGING STATUS OR LEAVING SERVICE AND TRANSFERS)

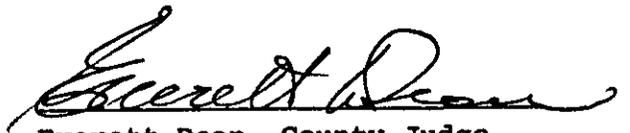


Notice To Bidders

Sealed proposals, addressed to the Commissioners Court of Upshur County, Texas, will be received at the office of the County Judge, Courthouse, Gilmer, Texas until 9 o'clock A.M. on the 1st day of May, 1978 for selling of the following automobiles.

1976 Ford LTD  
1974 Ford LTD

Bids will be accepted on either auto or on the two. The County reserves the right to reject any and all bids. Contact the Upshur County Sheriffs Office for further details.



Everett Dean, County Judge  
Upshur County, Texas

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**B. L. NELSON & ASSOCIATES, INC.**

*Consulting Engineers*  
7311 FERGUSON ROAD  
DALLAS, TEXAS 75228

PRESIDENT  
B. L. NELSON, P.E.

DAN R. JENSON, P.E.

STEVEN R. SLOAN, P.E.

JERRY DUVAL, ARCHITECT

TELEPHONE  
(214) 328 3128

LINDA SEWELL  
SEC. TREAS.

April 7, 1978

The Honorable Everett Dean  
Upshur County Judge  
Upshur County Courthouse  
Gilmer, Texas 77644

Re: Union Grove Water Supply Corporation /  
Proposed System Improvements

Dear Judge Dean:

Regarding the use of County right-of-way for the above project, we have enclosed maps which indicate the water lines to be installed in Upshur County in red pencil. Where there is a crossing of a County Road; it is circled in red. The other water lines shown on these maps are existing water lines. This work appears on Plan Sheets 6 and 11 of 17.

It is anticipated that 95% of all lines will be located on private easements.

Very truly yours,

B. L. NELSON & ASSOCIATES, INC.



Steve R. Sloan

SRS/cjs

Encl.

*Approved*  
4-17-78

APPROVAL

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TO: UNION GROVE WATER SUPPLY CORPORATION :

The Commissioners Court of Upshur County.

has no objection to the location on the right-of-way of your proposed water line as shown by accompanying drawings and to be owned by a non-profit organization.

It is expressly understood that the Commissioners Court does not purport, hereby, to grant any right, claim, title, or easement in or upon this R.O.W. A permit is hereby granted for continuous use.

All work on the County Right-of-Way shall be performed in accordance with County instructions. The installation shall not damage any part of the County Road and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners.

The herein named County will at no time be held liable for any damage to said water line improving and maintaining County roads. It is agreed with County that this permit can be assigned to the Farmers Home Administration, an agency of the United States Government, for collateral of monies received to construct said water lines.

Date

Commissioner

Commissioner

County Judge

Commissioner

Commissioner

C. E. STEVENS

FORTSON  
EQUIPMENT  
RENTAL

WOODEN FENCE

NORTH POINT PLEASANT

ROAD CROSSING "D"  
6" P.V.C. PIPES

SCALE 1" = 200'

PROP. 6" P.V.C.

EX. 3" P.V.C.

U.S. HWY NO. 271

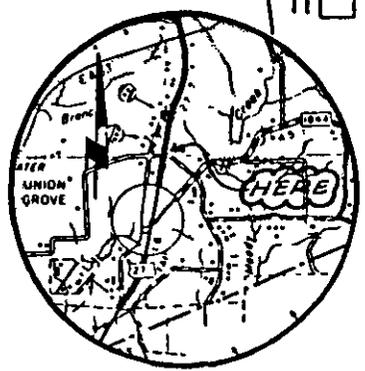
410

EX. 4" P.V.C.

EX. 4" P.V.C.

TO UNION GROVE

PLAN SHEET 6 OF 17



VICINITY MAP

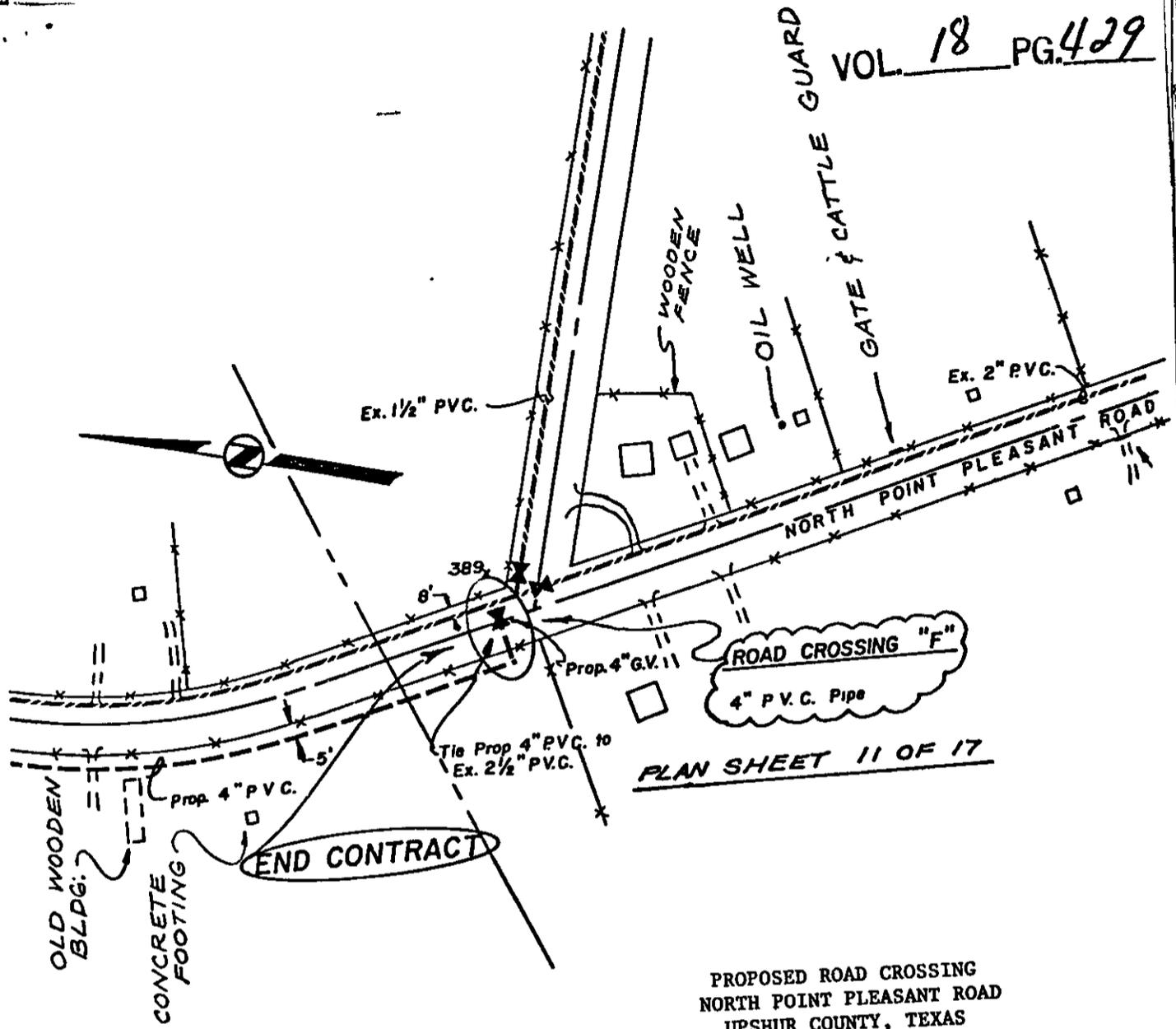
PROPOSED ROAD CROSSING  
NORTH POINT PLEASANT ROAD  
UPSHUR COUNTY, TEXAS

UNION GROVE WATER SUPPLY CORPORATION  
UPSHUR COUNTY, TEXAS

APRIL 1978

SUBSEQUENT LOAN

<b>B.L. NELSON &amp; ASSOCIATES, INC.</b>	
ENGINEERS • ARCHITECTS	
7311 FERGUSON ROAD DALLAS, TEXAS	(214) 328-3126



PLAN SHEET 11 OF 17

PROPOSED ROAD CROSSING  
NORTH POINT PLEASANT ROAD  
UPSHUR COUNTY, TEXAS

UNION GROVE WATER SUPPLY CORPORATION  
UPSHUR COUNTY, TEXAS

APRIL 1978

SUBSEQUENT LOAN



VICINITY MAP

**B.L. NELSON & ASSOCIATES, INC.**  
 ENGINEERS • ARCHITECTS  
 7311 FERGUSON ROAD DALLAS, TEXAS (214) 328-3126

VOL-18-PG-430

**EXXON COMPANY, U.S.A.**  
POST OFFICE BOX 2025 • TYLER, TEXAS 75710

RIGHT OF WAY & CLAIMS  
EAST TEXAS DIVISION

April 12, 1978

File 59315

The Honorable Everett Dean  
County Judge, Upshur County  
Gilmer, Texas 75644

Dear Judge Dean:

This letter is to officially confirm Exxon's intention in submitting the Special Road Use Agreement to your office yesterday on April 11, 1978. We would like this new agreement to replace the Special Road Use Agreement agreed upon and signed by Exxon and the Commissioners' Court on February 6, 1978.

We respectfully request the Commissioners' Court to approve this new agreement at their next meeting and return one executed copy to my attention at our Tyler office. Thank you for your assistance in this matter.

Yours very truly,

*W. S. Blomdahl*

W. S. Blomdahl

WSB:pj

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## SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS I

I KNOW ALL MEN BY THESE PRESENTS: THAT,

COUNTY OF UPSHUR I

The undersigned, EXXON COMPANY, U.S.A. (a division of Exxon Corporation), hereinafter referred to as "First Party," enters into and makes an agreement with UPSHUR COUNTY COMMISSIONER OF PRECINCT NO. 3, UPSHUR COUNTY, TEXAS; and in order to transport well drilling and well servicing units, it is necessary to use a portion of Upshur County road located in Precinct No. 3 over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said road as a result of hauling on and over same enter into the following agreement:

1.

First Party agrees to use only that section of Willow Oaks road shown outlined in yellow on the plat marked EXHIBIT "A" attached hereto.

2.

First Party agrees to use its vehicles in such a manner as not to block or interfere with other traffic on said road so that said road will be open to travel by the public at all times.

3.

First Party agrees to reimburse Upshur County upon proof of expenditures for contract equipment, contract labor and materials for grading, maintaining and otherwise repairing the portion of said road colored red on EXHIBIT "A" during the duration of time that First Party is transporting well drilling, well servicing units and machinery to and from its lands located in Precinct No. 3, Upshur County, Texas.

4.

First Party agrees to reimburse Upshur County for one-half (1/2) of the cost of materials furnished by a contractor required to resurface the portion of said road colored in green on EXHIBIT "A," up to an amount not to exceed \$4,000.00, upon being furnished proof of cost and amount of such materials and a written statement signed by the County Judge of Upshur County, Texas, stating that such repair work has been completed in a manner satisfactory to the county. *copy*

5.

Nothing herein shall be construed as a waiver by the Commissioner of the authority granted him by Article 6716, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6716, V.A.C.S. are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

WITNESS OUR HANDS this 24<sup>th</sup> day of April, 1978.

EXXON COMPANY, U.S.A. (a division of Exxon Corporation)

By *C. S. Yust*  
C. S. Yust, District Manager  
Tyler Production District  
East Texas Division

FORM APPROVED *W.D.*

- FIRST PARTY -

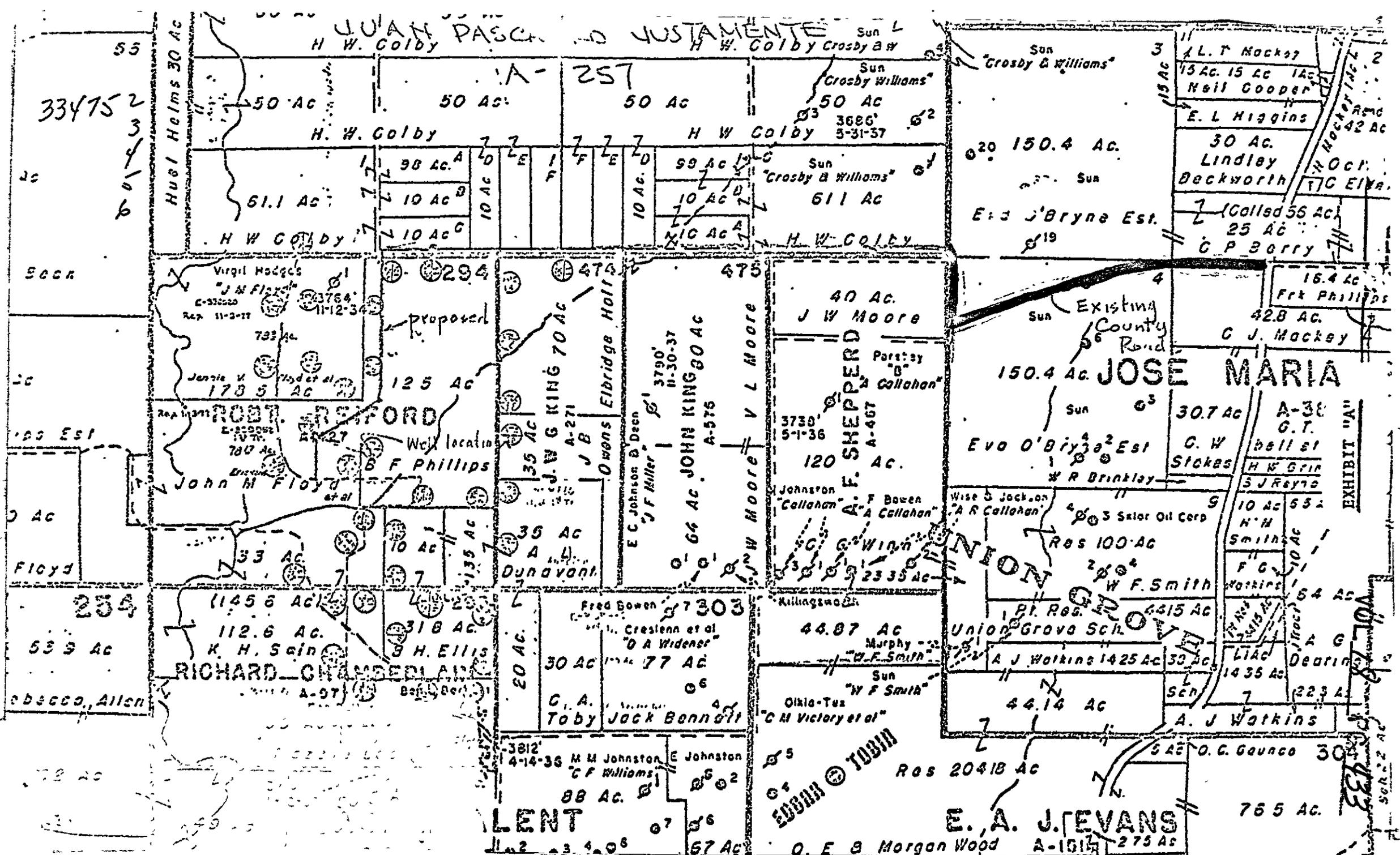
*Lawrence Dean*  
COUNTY JUDGE, UPSHUR COUNTY, TEXAS

*Bonnie Nobles*  
COMMISSIONER OF PRECINCT NO. 1

*J. W. Meadows*  
COMMISSIONER OF PRECINCT NO. 2

*Charles L. Still*  
COMMISSIONER OF PRECINCT NO. 3

*David D. ...*  
COMMISSIONER OF PRECINCT NO. 4



JUAN PASCUAL JUSTAMENTE  
H. W. Colby Crosby & W

334752  
3  
4  
6

HUBI HELMS 30 AC

50 AC  
50 AC  
50 AC  
50 AC  
H. W. Colby  
H W Colby  
Sun Crosby Williams  
3686' 5-31-57  
Sun Crosby Williams  
611 AC  
H. W. COLBY

150.4 AC  
Sun  
E. J. Bryne Est.  
15 AC  
G. P. Barry  
L. T. Mackay  
13 AC 15 AC 12 AC  
Neil Cooper  
E. L. Higgins  
30 AC  
Lindley Beckworth  
7 (Called 55 AC)  
25 AC  
C. P. Barry

Virgil Hodges  
J. M. Floyd  
733 AC  
1785 AC  
proposed

125 AC  
J. W. G. KING 70 AC  
Owens Elbridge Holt  
J. B. A-271  
E. C. Johnson & Deen  
J. F. Miller  
3790' N-30-37  
66 AC JOHN KING 80 AC  
A-575  
V. L. MOORE

40 AC  
J. W. MOORE  
F. SHEPPERD  
3750' 5-1-36  
120 AC  
Callahan  
A-407  
Johnston Callahan  
F. Bowen  
A. A. Callahan

150.4 AC JOSE MARIA  
Sun  
Existing County Road  
30.7 AC  
Evo O'Bryne Est  
R. Drinkley  
C. W. SICKES  
H. W. Griffin  
3 J. RAYNE  
10 AC 55 AC  
N. H. Smith  
F. C. J. I.  
W. F. Smith  
Pt. Res. 100 AC  
Union Grove Sch.  
A. J. Watkins 1425 AC  
44.14 AC  
A. J. Watkins  
O. C. Gaudio 30 AC  
765 AC

ROBERT STREFFORD  
780 AC  
Well location  
B. F. Phillips  
John M. Floyd  
1145.6 AC  
112.6 AC  
K. H. Sain  
RICHARD CHAMBERLAIN  
A-97

35 AC  
J. W. G. KING  
A-271  
J. B.  
Owens Elbridge Holt  
E. C. Johnson & Deen  
J. F. Miller  
3790' N-30-37  
66 AC JOHN KING 80 AC  
A-575  
V. L. MOORE  
Fred Bowen  
Creslenn et al  
O. A. Widener  
30 AC  
77 AC  
C. A.  
Toby Jack Bennett

3750' 5-1-36  
120 AC  
Callahan  
A-407  
Johnston Callahan  
F. Bowen  
A. A. Callahan  
Killingworth  
44.87 AC  
Murphy  
W. F. Smith  
Sun  
W. F. Smith  
Oikio-Tex  
C. M. Victory et al

150.4 AC JOSE MARIA  
Sun  
Existing County Road  
30.7 AC  
Evo O'Bryne Est  
R. Drinkley  
C. W. SICKES  
H. W. Griffin  
3 J. RAYNE  
10 AC 55 AC  
N. H. Smith  
F. C. J. I.  
W. F. Smith  
Pt. Res. 100 AC  
Union Grove Sch.  
A. J. Watkins 1425 AC  
44.14 AC  
A. J. Watkins  
O. C. Gaudio 30 AC  
765 AC

539 AC  
Becco, Allen

3812' 4-14-36 M. M. Johnston  
C. F. Williams  
E. Johnston  
88 AC  
LENT  
67 AC

20418 AC  
E. A. J. EVANS  
O. F. & Morgan Wood  
A-1014  
275 AC

EXHIBIT "A"