



UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

September 14, 1981

Commissioners Court met in Regular Session with all members present.

Judge Dean read the minutes of August 31, 1981. Motion made by Floyd Drennan and seconded by Delmo Lawson for the minutes to stand as read. Motion carried.

A group met with the court to discuss Hwy. #300. After a brief discussion, motion was made by Delmo Lawson and seconded by J. W. Meadows not to take action upon deeds that were presented to the court until after Sept. 28, 1981. Delmo Lawson later withdrew this motion. Judge Dean made motion and seconded by Floyd Drennan to approve payments of those two parcels of land to be duly recorded in the County Clerk's Office. Motion carried with Delmo Lawson abstaining from voting. (Copies of instruments attached.)

Motion made by Floyd Drennan and seconded by J. W. Meadows to approve deputation of Mary Playor in County Clerk's Office. Motion carried. (Copy attached.)

County Probation Officer, Wilfred Parker met with the court requesting that county purchase IBM Display Writer System, with the Probation Office leasing said equipment from the County. Motion made by J. W. Meadows and seconded by Delmo Lawson to approve the request. Motion carried.

Motion made by Charles Still and seconded by J. W. Meadows to approve two permit applications submitted by O. M. McKnight to place culverts within ROW of Aspen Trail. Motion carried. (Copies attached.)

Motion made by Charles Still and seconded by Delmo Lawson to approve permit application submitted by Arkia Gas Co. to place gas line within ROW of Holloway Road. Motion carried. (Copy attached.)

Motion made by Delmo Lawson and seconded by J. W. Meadows to approve permit application submitted by Steve Davis to place culvert within ROW of Owl Lane. Motion carried. (Copy attached.)

Motion made by Charles Still and seconded by Floyd Drennan to approve permit application submitted by City of Big Sandy to place water line within ROW of Aspen Road. Motion carried. (Copy attached.)

Motion made by Delmo Lawson and seconded by Floyd Drennan to approve permit application submitted by Ellis E. Watson to place culvert within ROW of Union Grove Cemetery Road. Motion carried. (Copy attached.)

Motion made by Delmo Lawson and seconded by J. W. Meadows to approve Special Road Use Agreement submitted by Will Jones for use of Quail Road for hauling of pulp wood. Motion carried. (Copy attached.)

Motion made by Delmo Lawson and seconded by J. W. Meadows to approve Special Road Use Agreement submitted by William Robertson for use of Quail Road for purpose of hauling logs. Motion carried. (Copy attached.)

Motion made by J. W. Meadows and seconded by Delmo Lawson to approve Special Road Use Agreement submitted by Haughton Timber Co. for use of Sweet William Road for hauling of logs. Motion carried. (Copy attached.)

Motion made by Charles Still and seconded by Floyd Drennan to approve permit application submitted by Western Gas Corporation to place 4" gas pipeline within ROW of Ash Road. Motion carried. (Copy attached.)

Motion made by Charles Still and seconded by J. W. Meadows to approve drainage agreement between Upshur County Road & Bridge and Daniel Holloway, Rt. 2, Box 733, Big Sandy, Texas. Motion carried. (copy attached.)

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Motion made by Delmo Lawson and seconded by J. W. Meadows to approve Roadway Dedication of Koffer Road to the county as a public road, and to place copy of petition in the court minutes. Motion carried. (Copy attached.)

Motion made by Charles Still and seconded by Floyd Drennan to approve request of Gilmer Public Schools submitted by letter to top bus turnaround in Mrs. Oglesby's driveway located on Hemlock Road with an all weather topping. Motion carried. (Copy of letter attached.)

Motion made by Charles Still and seconded by Delmo Lawson to approve request of Cynthia C. Shattles to attend the State H-P Fashion Revue in San Angelo, Sept. 16 thru 18, with the county paying a part of her expenses. Motion carried. (Copy attached.)

Motion made by J. W. Meadows and seconded by Floyd Drennan to approve request of Veterans County Service Officer, Don Gaddis, to attend the 34th Annual Statewide Conference for Veterans Service Officers Oct. 19-22, 1981 in Dallas, Texas. Motion carried. (copy attached.)

Motion made by Charles Still and seconded by J. W. Meadows to approve application submitted by the Worldwide Church of God for mass gatherings at the Ambassador College in Big Sandy, Texas, Oct. 11 thru Oct. 21, 1981. Motion carried. (Copy attached.)

Motion made by Charles Still and seconded by Floyd Drennan to fill well on property of L. L. Bowden. Motion carried.

Motion made by J. W. Meadows and seconded by Delmo Lawson for Bobby Hankins and Keith Barber to check into prices of Blanket Insurance for some of the offices in the Court House. Motion carried.

Motion made by J. W. Meadows and seconded by Delmo Lawson to approve Special Road Use Agreement submitted by Houghton Timber Co. for purpose of hauling logs over Groundhog Road. Motion carried. (Copy attached.)

Motion made by J. W. Meadows and seconded by Delmo Lawson to approve Special Road Use Agreement submitted by Honson Asphalt to use Snap Dragon Road for purpose of removing gravel. Motion carried. (Copy attached.)

Bids were opened for purchase of new cars for the Sheriff's Dept. Long Motor Company and Yazell Chevrolet-Oldsmobile, Inc. submitted the bids. Motion made by Delmo Lawson and seconded by J. W. Meadows to approve the purchase of two Chevrolets and one Ford for the Sheriff's Dept. Motion carried. (Copies attached.)

Bids were opened for the sell of the used equipment being sold by the county. After a lengthy discussion, motion was made by J. W. Meadow and seconded by Delmo Lawson for the County Auditor to hold all bids until the next meeting of the court. Motion carried.

Bids for new office equipment needed by the county were opened and motion made by Floyd Drennan and seconded by Delmo Lawson for the County Auditor to hold all bids until a later date. Motion carried.

Motion made by Delmo Lawson and seconded Floyd Drennan to approve employee change of status of the following employees: Dorkhonda Kaye Cain-County Clerk's Office; Myra Harris-Auditor's Office; Mary Sweetser-Tax Office; J. C. Henderson-R & B # 1; and Tom Phillips-Sheriff's Dept.

Motion made by Delmo Lawson and seconded by J. W. Meadows to approve the unpaid bills for payment. Motion carried. (Copy attached.)

Motion made by J. W. Meadows and seconded by Delmo Lawson to adjourn. Motion carried.

Ernest Dean
County Judge

Delmo Lawson
Commissioner, Pct. # 1

J. W. Meadows
Commissioner, Pct. # 2

Charles L. Hill
Commissioner, Pct. # 3

Julius D. Johnson
Commissioner, Pct. # 4

FILED
CLERK OF DISTRICT COURT
21 SEP 21 AM 10:39

VOL. 424 PG. 210

State Department of Highways
and Public Transportation
Form D-15-14
Page 1 of 4
Rev. 7-75

6232-

Parcel No. 64
8019-1-34
Upshur County

DEED

THE STATE OF TEXAS I
 I
COUNTY OF UPSHUR I

KNOW ALL MEN BY THESE PRESENTS:

That Billy C. Foote, and wife, Gladys R. Foote; Carlos C. Michel, and wife, Linda Michel; and James Pickett

of the County of Gregg, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of nine thousand forty and no/100 (\$ 9,040.00) Dollars to Grantors in hand paid by the State of Texas, acting by and through the State Highway and Public Transportation Commission, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day sold, and by these presents do Grant, Bargain, Sell and Convey unto the State of Texas, all that certain tract or parcel of land in Upshur County, Texas; and being more particularly described as follows, to wit:

(SEE ATTACHED FIELD NOTES)

County Clerk's Memo
Portions of this document not
recorded until when recorded

Checked and Compared 1/31

Certified Correct
[Signature]
District Engineer Date 7-22-80

Account 8019-1-34
County Upshur
Highway S. H. 300
Project Limits From: U.S. Highway 271 in Gilmer, Southeast
To: Gregg County Line

Field Notes for Parcel No. 6h
Name: Billy C. Foote et al

Being 9.0h acres of land, more or less, out of and a part of a 37.6 acre tract of land lying and being in the J Manning Headright Survey, Abstract No. 31h, in Upshur County, Texas and a 3.5 acre tract of land lying and being in the G. W. Hensley Survey, Abstract No. 66, in Upshur County, Texas, said 37.6 acre tract and 3.5 acre tract being the same land described in a deed from Clarice F. Hule to Billy C. Foote et al dated August 16, 197h, recorded in Volume 363, Page 895, Deed Records of Upshur County, Texas; said 9.0h acres parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north boundary line of the above described 37.6 acre tract said point being North 89° 03' East a distance of 31h feet from the apparent northwest corner of said 37.6 acre tract and also being at right angle to and 128.0h feet from Engineer's Survey line Station 495 + 90.59 of State Highway 300;

THENCE NORTH 89° 03' East following said north boundary line, a distance of 313.06 feet to a point at right angle to and 139.12 feet from Engineer's Survey line Station 487 + 52.80 of State Highway 300;

THENCE SOUTH 33° 33' East a distance of 46.12 feet to a point at right angle to and 140.0 feet from Engineer's Survey line Station 488 + 00 of State Highway 300;

THENCE SOUTH 32° 12' East at 113h.05 feet cross the apparent East boundary line of the J Manning Survey and continuing a total distance of 1333.33 feet to a point in the center of Beech Branch, said point being at right angle to and 121.32 feet from Engineer's Survey line Station 501 + 35.30 of State Highway 300;

THENCE SOUTH 48° 42' West following the center of Beech Branch, a distance of 122.42 feet to a point on Engineer's Survey line Station 501 + 52.2 of State Highway 300;

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State Highway 300
Upshur County
Parcel (h)
Billy C. Foote et al

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THENCE SOUTH $61^{\circ} 59'$ West following the center of Beech Branch, at 8.91 feet cross the apparent west boundary line of the G. W. Beasley Survey and continuing a total distance of 136.16 feet to a point at right angle to and 135.57 feet from Engineer's Survey Line Station 501 + 79.60 of State Highway 300;

THENCE NORTH $32^{\circ} 08'$ West a distance of 257.31 feet to a point at right angle to and 130.0 feet from Engineer's Survey Line Station 499 + 87.23 of State Highway 300;

THENCE NORTH $37^{\circ} 39'$ West a distance of 1011.01 feet to a point at right angle to and 110.0 feet from Engineer's Survey Line Station 481 + 01 of State Highway 300;

THENCE NORTH $30^{\circ} 14'$ West a distance of 1110.38 feet to the point of beginning, containing an area of 9.04 acres of land, more or less, of which there is 0.30 acre in the G. W. Beasley Survey and 8.74 acres in the J Manning Survey.

SAVE and EXCEPT, HOWEVER, it is expressly understood and agreed that Grantors are retaining title to the following improvements located on the above described property, to wit:

None

Grantors covenant and agree to remove the above described improvements from said land by _____, 19____, subject, however, to such extensions of time as may be granted by the State in writing; and if, for any reason, Grantors fail or refuse to remove same within said period of time prescribed, then, without any further consideration, the title to all or any part of such improvements not so removed shall pass to and vest in the State of Texas forever.

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the State to take and use all other minerals and materials thereon, therein and thereunder.

TO HAVE AND TO HOLD the above described premises herein conveyed together with all and singular the rights and appurtenances thereto in anywise belonging, unto the State of Texas and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors administrators, successors and assigns, to Warrant and Forever Defend all and singular the said premises herein conveyed unto the State of Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 15th day of August, 1981.

Carlton C. Michel
Carlton C. Michel
Linda Michel
Linda Michel

Billy C. Foote
Billy C. Foote
James R. Foote
James R. Foote
James Pickett
James Pickett
by R. W. Foote
P.O.A.

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS

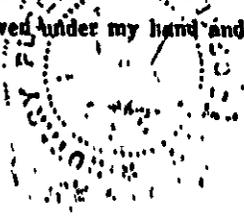
County of Gray }

Before me, the undersigned _____, a notary public in and for said County and State, on this day personally appeared Carlton C. Michel and wife, Linda Michel

_____, known to me (or proved to me on the oath of _____, a credible witness) to be the persons... whose name s...

... subscribed to the foregoing instrument and acknowledged to me that... he... executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 15th day of August, 1981



Notary Public in and for the State of _____ County, Texas.

Kelly Eubank
My Commission Expires
May 19, 1985

Form D-15-14
Page 4 of 4
Rev. 10-61

CORPORATION ACKNOWLEDGMENT

FILED
J. B. HILL, JR.
COUNTY CLERK

STATE OF TEXAS

SEP 14 11 1:40

County of _____

BEFORE ME, the undersigned authority, a notary public in and for _____ County, Texas, on this day personally appeared _____ of _____ known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said _____ a corporation and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this the _____ day of _____, 19 _____

Notary Public in and for _____ County, Texas.

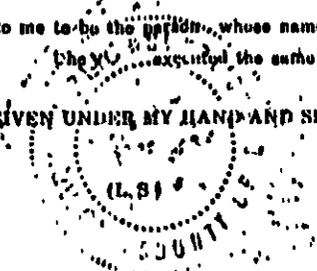
SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF CREGG

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Billy C. Foote and wife, Gladys R. Foote

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 13th day of August A. D. 1951



J. B. Hill, Jr.
Notary Public in and for CREGG County, Texas.

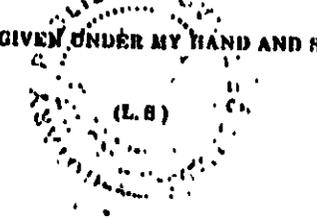
SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared James Hockett

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th day of August A. D. 1951



James Hockett
Notary Public in and for _____ County, Texas.
My Comm. Exp. May 29 1955

FILED FOR RECORD 9-14 1951 at 1:40 P.M.
RECORDED ON THIS 9-17 1951 at 4:00 P.M.
BY: *John J. Laffie* DEPUTY
J. B. HILL, JR., COUNTY CLERK
UPSHUR COUNTY, TEXAS

VOL 424 PG 214

Parcel No. 72
8019-1-34
Upshur County

6230

STATE Department of Highways
and Public Transportation
Form D-15-10
Page 1 of 4
Rev. 7-74

VOL 121 PG 221

VOL 21 PG 831

DEED

THE STATE OF TEXAS

COUNTY OF Upshur

X
X
X

KNOW ALL MEN BY THESE PRESENTS:

That Joe Beckham and wife, Laura Beckham

of the County of Oklahoma, State of ^{Oklahoma} ~~Oklahoma~~, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of five thousand three hundred seventy five (\$ 5,375.00) Dollars to Grantors in hand paid by the State of Texas, acting by and through the State Highway and Public Transportation Commission, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day sold, and by these presents do Grant, Bargain, Sell and Convey unto the State of Texas, all that certain tract or parcel of land in Upshur County, Texas, and being more particularly described as follows, to wit:

(SEE ATTACHED FIELD NOTES)

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S. H. JOO
Upshur County
Parcel No. 72
Joe Beckham

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THENCE NORTH 89° 49' East following said north boundary line, a distance of 311.15 feet to the point of beginning, containing an area of 5.66 acres of land, more or less.

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VOL 434 PG 255

SAVE and EXCEPT, HOWEVER, it is expressly understood and agreed that Grantors are retaining title to the following improvements located on the above described property, to wit:

None

Grantors covenant and agree to remove the above described improvements from said land by _____, 19____, subject, however, to such extensions of time as may be granted by the State in writing; and if, for any reason, Grantors fail or refuse to remove same within said period of time prescribed, then, without any further consideration, the title to all or any part of such improvements not so removed shall pass to and vest in the State of Texas forever,

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the State to take and use all other minerals and materials thereon, therein and thereunder.

TO HAVE AND TO HOLD the above described premises herein conveyed together with all and singular the rights and appurtenances thereto in anywise belonging, unto the State of Texas and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns, to Warrant and Forever Defend all and singular the said premises herein conveyed unto the State of Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 11 day of August, 19 81.

Laura Beckham
Laura Beckham

Joe Beckham
Joe Beckham

SINGLE ACKNOWLEDGMENT

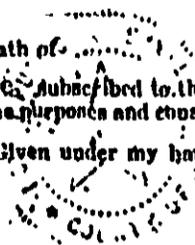
THE STATE OF TEXAS
County of Upshur

Before me, the undersigned, a notary public in and for said County and State, on this day personally appeared Joe Beckham and Laura Beckham

known to me (or proved to me on the oath of _____, a credible witness) to be the person^s whose name

are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 11 day of August 19 81



Notary Public
Notary Public in and for Upshur County, Texas

RECORDED FOR RECORD 9-14 1981 at 1:00 PM
RECORDED ON THIS 9-17 1981 at 4:00 PM
BY: J. D. Hill, Jr. DEPUTY
J. D. HILL, JR., COUNTY CLERK
UPSHUR COUNTY, TEXAS