



**UPSHUR COUNTY COMMISSIONERS COURT**  
**GILMER, TEXAS**

March 25, 1985

Commissioners court met in Special Session with all members of the court present.

Judge Dean read the minutes of the March 11th meeting. Motion by J.W. Meadows seconded by Gaddis Lindsey to approve the minutes as read. Motion carried.

Motion by Gaddis Lindsey seconded by David Loyd to approve adopting resolution opposing house bill 2231. This bill concerns excluding the county from voting on consolidation of Tax collecting. Motion carried. Copy attached.

Motion by David Loyd seconded by Paul Davis to approve adopting resolution on house bill 191 concerning the District Clerk office fees. Motion carried. copy attached.

Motion by Gaddis Lindsey seconded by J.W. Meadows to place into the minutes surety bond from John Deere Insurance Co. concerning motor grader fro pct. #1. Motion carried. Copy attached.

Court placed into the minutes a letter form the State Highway Department concerning funds for Right of Way projects. Copy attached.

Motion by David Loyd seconded by Gaddis Lindsey to appoint Tish Jenkins as election judge for Pritchett box #15. Motion carried.

Motion by Gaddis Lindsey seconded by J.W. Meadows to approve a Permit Application by ETEX Telephone Coop. to place a buried cable within the ROW of Hummingbird road. Motion carried. Copy attached.

Motion by Gaddis Lindsey seconded by Paul Davis to approve a Permit Application by Irvin Elkins to place a culvert installation within the ROW of Myrtle Lane. Motion carried. Copy attached.

Motion by Gaddis Lindsey seconded by J.W. Meadows to deny approval of Special Raod Use Agreement from Luckwood Const. Co. for the use of Bob O Link road. Motion carried. Copy attached

Motion by Paul Davis seconded by David Loyd to approve a Special Road Use agreement by Environmental timber Co. for the use of Mimosa road. Motion carried. Copy attached.

Motion by David Loyd seconded by J.W. Meadows to approve a Special Road Use agreement by Quest Microwave Co. for the use of Apple Tree Road. Motion carried. Copy attached.

Motion by David Loyd seconded by Gaddis Lindsey to approve an Interlocal Agreement between Gladewater ISD and Upshur County to exchange services. Motion carried. Copy attached.

Motion by David Loyd seconded by Paul Davis to approve a Permit Application by General Telephone Co. to place a buried cable within the ROW of White Oak road west. Motion carried. Copy attached.

Motion by J.W. Meadows seconded bu Paul Davis to approve a Permit Application by Bi-County Water Supply to place a waterline within the ROW of Aster Road. Motion carried. copy attached.

Motion by Gaddis Lindsey seconded by J.W. Meadows to approve a Permit Application by Bi-County Water supply to place a waterline within the ROW of Bob white Road. Motion carried. Copy attached.

Motion by David Loyd seconded by Gaddis Lindsey to approve a Permit Application by Continental Telephone to place a buried cable within the ROW of Stegall and Red Maple roads. Motion carried. Copy attached.

Motion by J.W. Meadows seconded by Gaddis Lindsey to approve Michael Smith, tax Assessor collector attending conference in Austin, April 17-19. Motion carried. copy attached.

Motion by David Loyd seconded by J.W. Meadows to approve renewing membership with Upshur Ambulance service for the Courthouse, jail and commissioner pcts. Motion carried. Copy attached.

Court discussed radio for Johnny Miller, Sanitation Officer. No action taken.

Motion by J.W. Meadows seconded by David Loyd to approve contracts for construction of Upshur county Justice Center and Jail. Motion carried

Motion by David Loyd seconded by J.W. Meadows to advertise for bids on tractor with side mower and ditcher for Pct. #3. Motion carried.

Motion by David Loyd seconded by Paul Davis to open bids on tractor for Pct. #3 April 8, 1985. Motion carried.

Judge Dean opened bids on Insurance for the Justice center Construction. Bids received were from, Brown, Cook and Taylor of Gladewater and Jack Hoffman Insurance Agency. Motion by J.W. Meadows seconded by Gaddis Lindsey to turn bids over to County Auditor for evaluation. motion Carried.

Motion by David Loyd seconded by Gaddis Lindsey to approve payroll changes of:  
Henry Crockett-----Pct. #2-----Demotion  
Abbott Pendarvis-----Pct. #2-----Promotion  
Kenneth Mayfield-----Sheriff-----Probationary end  
Motion carried. Copy attached.

Motion by J.W. Meadows seconded by David Loyd to ~~approve~~ the longevity pay for 3-31-85 payroll of: Rosalie Williams, Larry n. Henson, Lavada M.Davis, Brenda L. Davidson and Myra Harris. Motion carried. Copy attached.

Motion by David Loyd seconded by Paul Davis to approve amending the personnel policy on jury service.to be in effect April 1, 1985. Motion carried.

Motion by J.W.Meadows seconded by David Loyd to approve amending personnel policy on unemployment procedures. to be in effect April 1, 1985. Motion carried.

Court went into Executive Session

Court recessed until Friday at 10:30 a.m.

Court reconvened Friday March 29th with all members of the court present.

Judge Dean read a letter from Southwestern Bell concerning a rate increase.

✓ Motion by J.W.Meadows seconded by David Loyd to accept road into the County Lateral road system as a class 3 road (30 foot ). Road to be named at a later date. Motion carried.

Motion by Gaddis Lindsey seconded by J.W. Meadows to approve a Permit Application by Gerald Schooll to place a culvert installation within the ROW of Red Hen road. Motion carried. copy attached.

Motion by J.W. Meadows seconded by Gaddis Lindsey to approve a Permit Application by Tommy Ferguson to place a culvert installation within the ROW of Smilax trail. Motion carried. Copy attached.

Motion by Paul Davis seconded by David Loyd to approve a Special Road Use Agreement by Lasco Inc. for the use of Gopher road. Motion carried. Copy attached.

Motion by Gaddis Lindsey seconded by J.W. Meadows to approve a Special Road Use Agreement by Patterson and Davis logging for the use of Bob White road. Motion carried. Copy attached.

Motion by Paul Davis seconded by David Loyd to, approve a Permit Application by Sharon Water Supply to place a waterline within the ROW of Camel Road. Motion carried. Copy attached.

Motion by Paul Davis seconded by David Loyd to place into the minutes letter from First National Bank concerning a list of securities that have been pledged to secure the accounts of Upshur County. Motion carried. Copy attached.

Motion by David Loyd seconded by J.W. Meadows to approve accepting road into the county lateral road system and to be named Swallow Road. this road is to be classified as a class 2 road. a 50 foot road. Motion carried.

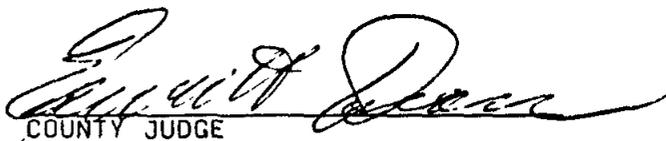
Motion by David Loyd seconded by J.W. Meadows to accept the bid from Jack Hoffman insurance agency for owners protective liability on the jail and justice center for \$5 million dollars at an annual premium of \$2350.00. Motion carried.

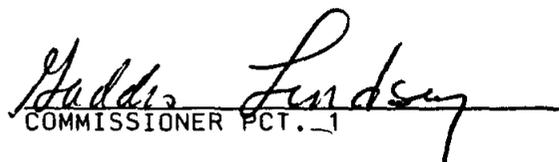
Motion by J.W. Meadows seconded by David Loyd to accept the bid from Jack Hoffman insurance agency for builders risk insurance on the jail and justice center at \$9000.00 for the term of the project. Motion carried

Motion by David Loyd seconded by Paul Davis to approve the payment of the unpaid bills, Motion carried. Copy attached.

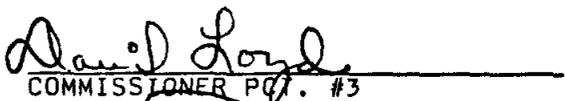
Court placed letters from Bobby G. Bishop, James D. Allen and Jed M. Hampton into the court minutes to show they would serve on the grievance committee for the year 1985.

Court adjourned.

  
COUNTY JUDGE

  
COMMISSIONER PCT. #1

  
COMMISSIONER PCT. #2

  
COMMISSIONER PCT. #3

  
COMMISSIONER PCT. #4

R E S O L U T I O N

The Commissioners Court of Upshur County, Texas adopts the following Resolution:

WHEREAS House Bill 2231 introduced by Shea contemplates the consolidation of tax collections.

WHEREAS House Bill 2231 excludes the County from voting privilege as to the consolidation of collections.

WHEREAS House Bill 2231 provides for a vote excluding the County who pays a large portion of the cost of the operation of the Appraisal District.

WHEREAS Sections 6.23, 6.24, 6.25 and 6.27 of the PROPERTY TAX CODE provide the means for consolidation of Assessing and Collecting or Assessing, or Collecting.

THEREFORE BE IT RESOLVED that the Commissioners Court of Upshur County goes on record as opposing this bill for the reasons outlined above.

WHEREAS, it appears that the County might be excluded and the fact that the County does pay a large part of the cost of the operation of the Appraisal District, makes this bill not in the best interest of County Government.

BE IT RESOLVED that a copy of this Resolution be presented to Senate District 1, House of Representative District 5, expressing its objection to the passage of House Bill 2231.

FURTHER BE IT RESOLVED that a copy of this Resolution be presented to all members of the Legislature.

*Ernest Dean*  
County Judge

*Waddis Lindsay*  
Commissioner, Precinct 1

*J. W. Meadows*  
Commissioner, Precinct 2

*Daniel Loyd*  
Commissioner, Precinct 3

*Paul [unclear]*  
Commissioner, Precinct 4

ATTEST:

*J. B. Hill*  
By *Albin [unclear]*  
Deputy

R E S O L U T I O N

THE STATE OF TEXAS

COUNTY OF UPSHUR

On this 25th day of March 1985, the Commissioners' Court of Upshur County, Texas convened in a regular meeting with the following members thereof present:

Everett Dean	County Judge
Gaddis Lindsey	Commissioner Precinct No. 1
J. W. Meadows	Commissioner Precinct No. 2
David Loyd	Commissioner Precinct No. 3
Paul Davis	Commissioner Precinct No. 4

when the following proceedings, among others, were had to-wit:

WHEREAS, the District Clerks' offices all over the State of Texas are being operated at a deficit, taking in far less than the cost of maintaining these offices, and are therefore constituting undue expense to the taxpayers of the counties in Texas, including Upshur County; and

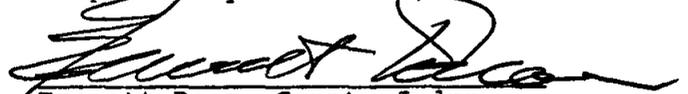
WHEREAS, it is the feeling of this court that more of the expense of litigation should be borne by litigants than is currently the situation in our State; and

WHEREAS, we are reliably informed that House Bill 191, and Senate Bill 539 will, if enacted into the law, have the effect of placing the proper proportion of the expenses of litigation upon litigants, thus relieving the taxpayers of much of such expense; and

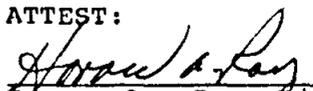
WHEREAS, the Commissioners' Court is of the opinion that any additions to the original House Bill and Senate 539 that would cause the District Clerks to collect any fees to fund other offices or projects would take away from the Bill's original purpose and intent;

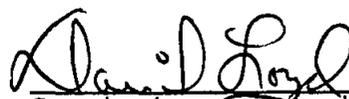
NOW THEREFORE, we respectfully urge the Governor and members of the Texas State Legislature of this State to pass into Law House Bill 191 as it was originally filed, without any additions or exceptions that would require our District Clerks to collect fees to fund other offices or projects.

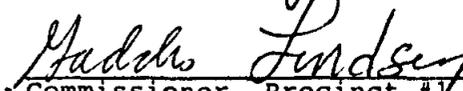
Respectfully submitted,

  
 Everett Dean, County Judge  
 Upshur County, Texas

ATTEST:

  
 Horace A. Ray, District Clerk

  
 Commissioner, Precinct #3

  
 Commissioner, Precinct #1

  
 Commissioner, Precinct #4

  
 Commissioner, Precinct #2

BILL NO.		AUTHOR	DISTRICT CLERK FEE BILLS	SUBJECT	PACKAGE # 1	HOUSE	SENATE	TO GOVERNOR	SIGNED	EFFECTIVE
HOUSE	SENATE					COMMITTEE	DATE PASSED			
191		Green (Harris)		RE: Art. 3927 VCS THIS IS OUR "FEE BILL", the same as was introduced in 1983 and the special sessions that followed.		Judiciary				
	539	Whitmire (Harris)					Jurisprudence			
	321	Jones (Abilene)		Reference pages 14, 15, 16, 17 This bill would increase the district clerk's filing fee to \$100.00. 75% of <u>all</u> fees collected would be returned to the state comptroller to be deposited into the State's General Fund.			Finance			
	331	Caperton (Bryan)		This bill would increase the cost of filing a new petition from \$25.00 to \$65.00. The \$40.00 increase would be returned to the State to fund the District Court Judges Supplemental Salary & Judicial System Support Fund.			Finance			
1308		Bush (Collin & Grayson)		Again, a \$40.00 increase would be added to the clerks' filing fee with the increase returned to the State to fund the District Court Supplemental Salary & Judicial Support Fund.			Finance			
2051		Schleuter (Bell)		In this one the filing fee is increased to \$100.00. The ENTIRE \$100.00 FILING FEE would be returned to the State to fund the JUDICIAL CAMPAIGN FUND.						

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1 swearing and impaneling a jury, receiving and recording verdict,  
2 for filing each paper entered in this cause, for swearing witnesses  
3 and for all other clerical duties in connection with such cause in  
4 county and district courts.

5 (b) A fee of One Dollar (\$1.00) per page or part of a page,  
6 to be paid at the time each order is placed, for issuing each  
7 certified copy, transcript or any other paper authorized,  
8 permitted, or required, to be issued by said county clerk or clerk  
9 of county courts or clerk of district courts.

10 (c) A fee of Ten Dollars (\$10.00) for furnishing to a person  
11 convicted of an offense for which the person's license is  
12 automatically suspended a certified copy of a court order  
13 restricting the person's license as prescribed by Subsection (a),  
14 Section 25, Chapter 173, Acts of the 47th Legislature, Regular  
15 Session, 1941, as amended (Article 6687b, Vernon's Texas Civil  
16 Statutes).

17 SECTION 4. This Act takes effect September 1, 1985, and  
18 applies only to fees payable on or after that date. Fees that  
19 became payable before the effective date of this Act are covered by  
20 the law as it existed at the time the fees became payable, and the  
21 prior law is continued in effect for that purpose.

22 SECTION 5. The importance of this legislation and the  
23 crowded condition of the calendars in both houses create an  
24 emergency and an imperative public necessity that the  
25 constitutional rule requiring bills to be read on three several  
26 days in each house be suspended, and this rule is hereby suspended,  
27 and that this Act take effect and be in force according to its  
1 terms, and it is so enacted.

TEXAS LEGISLATIVE SERVICE  
12/20/84  
Filed by Green, Harvie

HB 191  
SB-539

8-9-11-280

A BILL TO BE ENTITLED

*civil/crim*

AN ACT

2 relating to fees collected by district clerks.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Article 3927, Revised Statutes, is amended to  
5 read as follows:

6 Art. 3927. DISTRICT CLERK. The clerks of the district  
7 courts shall receive the following fees for their services:

8 (1) The fees in this Subsection shall be due and payable,  
9 and shall be paid at the time suit or action is filed.

10 For each suit filed, including appeals from inferior  
11 courts ..... \$50.00 [625.00]

12 For each cross action, intervention, contempt, action or  
13 motion for new trial filed ..... \$25.00 [625.00]

14 For issuing each subpoena, including one (1) copy thereof,  
15 when requested at the time a suit or action is  
16 filed ..... \$10.00 [6-4.00]

17 For issuing each citation or other writ or process not  
18 otherwise provided for, including one (1) copy thereof, when  
19 requested at the time a suit or action is filed ... \$10.00 [6-8.00]

20 For issuing each additional copy of any process, not  
21 otherwise provided for, when requested at the time a suit or action  
22 is filed ..... \$ 5.00 [6-4.00]

23 (2) The fees in this Subsection shall be due and payable at  
24 the time or times of performance or request for performance of

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shall be an obligation of the party to the suit or action initiating the request, and shall be additional to the fees provided for in Subsection (1) of this Act; provided, however, that the District Clerk may accept bond or bonds as security therefor.

For issuing each subpoena not provided for in Subsection (1), including one (1) copy thereof ..... \$10.00 [6-4-00]

For issuing each citation, commission for deposition, writ of execution, order of sale, writ of execution and order of sale, writ of injunction, writ of garnishment, writ of attachment, writ of sequestration not provided for in Section 1, or any other writ or process not otherwise provided for, including one (1) copy thereof when required by law ..... \$10.00 [6-8-00]

For issuing each additional copy of any writ or process not otherwise provided for ..... \$ 5.00 [6-4-00]

For searching the files, [or-records,-fees-may-be-charged-] records, or indices, a reasonable fee to be determined by the District Clerk may be charged:

a. To locate any one cause when the person requesting same does not furnish the docket number of said cause, or

b. To ascertain the existence or nonexistence of any instrument or record in his office, [-----6-5-00]

For issuing certificate to any fact or facts contained in the records of his office ..... \$ 2.00

For issuing deposition each one hundred (100) words ..... \$ 2.00 [6--20]

For issuing interrogatories with certificate and seal, per page or portion thereof ..... \$ 2.00 [6-1-00]

1 For abstracting judgment ..... \$10.00 [6-4-00]

2 For approving each bond ..... \$10.00 [6-4-00]

3 For making a copy, other than a photocopy, of all records, judgments, orders, pleading, or papers on file or of record in his office, whether certified or not, for any person applying for same, including the certificate and seal, per page or portion thereof ..... \$ 1.00

8 SECTION 2. Article 1018, Code of Criminal Procedure, 1925, is amended to read as follows:

10 Art. 1018. DEFENDANT LIABLE FOR COSTS. When the defendant is convicted, the costs and fees provided [paid] by Articles 1061, 1062, 1063, 1064, and 1065 of [the-State-under] this code [title] shall be a charge against him, [except-when-sentenced-to-death-or-to-imprisonment-for-life] and when collected shall be paid into the county treasury, except that if the state reimburses the county for those costs and fees, the amount reimbursed shall be paid into the State Treasury.

18 SECTION 3. Article 1064, Code of Criminal Procedure, 1925, as amended by S.B. 660, Acts of the 68th Legislature, Regular Session, 1983, is amended to read as follows:

21 Art. 1064. FEES OF DISTRICT AND COUNTY CLERKS. (1) The clerks of the county courts, county courts at law and district courts shall be allowed the following fees:

24 (a) A fee of Fifty Dollars (\$50.00) [Twenty-five--Dollars {25-00}] in each cause filed in said courts: for filing complaints, information, for docketing and taxing costs for each defendant, for issuing original writs, issuing subpoenas, for

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District  
clerk  
Fees

See pages 14, 15, 16, 17

Increase D.C. Filing fee  
from \$35.00 to \$100.00  
75% (\$75.00) goes back to  
the state.

59--550 *Whitcomb* A BILL TO BE ENTITLED

AN ACT

relating to an increase in various fees collected by certain state agencies, to the imposition of new fees in connection with regulatory functions of certain state agencies, and to an increase in the tuition collected by state institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Effective August 1, 1985, Sections 54.051(c), (e), (f), and (h), Education Code, are amended to read as follows:

(c) For the academic year beginning Fall, 1985, and for the Summer Session, 1986, tuition for nonresident students, except as otherwise hereinafter provided, is \$48 [46] per semester credit hour. For the academic year beginning Fall, 1986, and for the Summer Session, 1987, tuition for nonresident students, except as otherwise hereinafter provided, is \$60 [53] per semester credit hour.

(e) For the 12-month academic year beginning Fall, 1985, tuition [tuition] for resident students registered in a medical or dental branch, school, or college is \$1,200 [400-per-academic-year of--12--months]. For the 12-month academic year beginning Fall, 1986, tuition for resident students registered in a medical or dental branch, school, or college is \$1,400.

(f) For the 12-month academic year beginning Fall, 1985, tuition [tuition] for nonresident students registered in a medical or dental branch, school, or college is \$3,600 [1,200-per-academic

1 year-of-12-months]. For the 12-month academic year beginning Fall,  
2 1986, tuition for nonresident students registered in a medical or  
3 dental branch, school, or college is \$4,200.

4 (h) For the academic year beginning Fall, 1985, and for the  
5 Summer Session, 1986, tuition for students who are citizens of any  
6 country other than the United States of America is \$80 per semester  
7 credit hour. For the academic year beginning Fall, 1986, and for  
8 the Summer Session, 1987, tuition for students who are citizens of  
9 any country other than the United States of America is \$100 per  
10 semester credit hour. [During--the--academic--years--and--summer  
11 sessions,--Fall,--1985,--through--the--Summer--Session,--1987,--tuition--for  
12 students--who--are--citizens--of--any--country--other--than--the--United  
13 States--of--America--is--1.5--times--the--tuition--required--of--other  
14 nonresident-students.]

15 SECTION 2. Sections 13.115(b) and (c), Agriculture Code, are  
16 amended to read as follows:

17 (b) The fee for testing a gasoline, kerosene, or diesel fuel  
18 pump may not exceed \$10 [62].

19 (c) The fee for testing a scale may not exceed the following  
20 amounts:

SCALE CAPACITY	FEE
Less than [1,000	\$--2
[1,000-pounds-or-more-but-less-than] 4,999	
pounds	\$ 10
4,999 pounds or more	\$ 40

26 SECTION 3. Section 14.014(d), Agriculture Code, is amended  
27 to read as follows:

1 (b) The registration of a registered family home that  
2 occurred under Chapter 42, Human Resources Code, before the  
3 effective date of this Act and that is still in force on the  
4 effective date, expires during the one-year period following the  
5 effective date on a date to be determined by the division of the  
6 Texas Department of Human Resources that is responsible for  
7 administering Chapter 42, Human Resources Code.

8 (c) At least 60 days before the date that a license or  
9 registration expires under Subsection (a)(2) or (b) of this  
10 section, the division shall send a written notice to the person  
11 holding the license or registration informing the person of the  
12 expiration date and of the renewal fee that is required under  
13 Chapter 42, Human Resources Code.

14 SECTION 30. This Act applies to fees other than tuition that  
15 become due on or after September 1, 1985. A fee that is collected  
16 on or after that date but that became due before that date is  
17 governed by the law as it existed when the fee became due, and the  
18 former law is continued in force for this purpose.

19 SECTION 31. Except as otherwise provided by this Act, this  
20 Act takes effect September 1, 1985..

21 SECTION 32. The importance of this legislation and the  
22 crowded condition of the calendars in both houses create an  
23 emergency and an imperative public necessity that the  
24 constitutional rule requiring bills to be read on three several  
25 days in each house be suspended, and this rule is hereby suspended,  
26 and that this Act take effect and be in force according to its  
27 terms, and it is so enacted.

1 (d) The department shall collect from the warehouseman whose  
2 public grain warehouse is inspected an inspection fee for an annual  
3 inspection or an inspection requested by the warehouseman, but may  
4 not collect an inspection fee for other inspections. The  
5 inspection fee is \$3 [~~\$1~~] for each 10,000 bushels or fraction of  
6 10,000 bushels of licensed storage capacity of the warehouse  
7 inspected or \$15, whichever is greater.

8 SECTION 4. Sections 52.151(a) and (c), Agriculture Code, are  
9 amended to read as follows:

10 (a) The fee for filing articles of incorporation under this  
11 chapter is \$25 [~~\$10~~].

12 (c) Each marketing association shall pay to the department  
13 an annual license fee of \$25 [~~\$10~~]. A marketing association is  
14 exempt from all other franchise or license taxes, except that a  
15 marketing association is exempt from the franchise tax imposed by  
16 Chapter 171, Tax Code, only if exempted by that chapter.

17 SECTION 5. Sections 71.056(b) and (c), Agriculture Code, are  
18 amended to read as follows:

19 (b) The fee for each inspection of an installation, an area,  
20 or premises, growing, selling, displaying, or handling nursery  
21 products shall be not less than \$15 [~~\$10~~] nor more than \$75 [~~\$25~~].

22 (c) The fee for each inspection of an installation, an area,  
23 or premises, where florist items are bought and sold or offered for  
24 sale shall be not less than \$15 [~~\$5~~] nor more than \$75 [~~\$15~~].

25 SECTION 6. Sections 71.114(b) and (c), Agriculture Code, are  
26 amended to read as follows:

27 (b) The inspection fee is \$20 [~~\$5~~] plus [net--less--than--25

1 cents--nor--more--than] \$1[7-as-set-by-rule-of-the-department,] for  
2 each acre over five acres to be inspected.

3 (c) In addition to the inspection fee, a person applying for  
4 certification of sweet potatoes shall pay a fee of [net--less--than  
5 one--cent--nor--more--than] three cents for each certificate tag or  
6 stamp issued..

7 SECTION 7. Section 75.006(b), Agriculture Code, is amended  
8 to read as follows:

9 (b) An application for a permit to apply a herbicide must be  
0 accompanied by a permit fee set by the department in an amount not  
1 to exceed 20 [10] cents an acre for the area to which the herbicide  
2 is to be applied.

3 SECTION 8. Section 75.016(c), Agriculture Code, is amended  
4 to read as follows:

5 (c) At the time of inspection, a custom applier shall pay an  
6 inspection fee of \$20 [10] for each piece of equipment inspected.

7 SECTION 9. Section 76.106(c), Agriculture Code, is amended  
8 to read as follows:

9 (c) Each regulatory agency may charge a nonrefundable  
0 testing fee of not more than \$20 [10] for testing in each license  
1 use category.

2 SECTION 10. Section 76.108(b), Agriculture Code, is amended  
3 to read as follows:

4 (b) A person shall apply for an original or renewal  
5 commercial applicator license on forms prescribed by the regulatory  
6 agency. The application shall include information as required by  
7 rule of the head of the agency and must be accompanied by an annual

1 the fees it receives under this section.

2 SECTION 28. Title 61, Revised Statutes, is amended by adding  
3 Article 3928b to read as follows:

4 Art. 3928b. FILING FEES ALLOCATED TO STATE

5 Sec. 1. The district clerk of a county shall send to the  
6 comptroller of public accounts 75 percent of the fees collected  
7 under Article 3927, Revised Statutes, from the filing of suits,  
8 including appeals from inferior courts, and shall retain 25 percent  
9 of the fees.

10 Sec. 2. The district clerk shall send the state's share of  
11 the fees to the comptroller at least as frequently as monthly and  
12 shall account for the retained fees as required by law. The  
13 comptroller shall deposit the state's share of the fees in the  
14 general revenue fund.

15 SECTION 29. (a) A biennial license to operate a day-care  
16 center that was issued under Chapter 42, Human Resources Code,  
17 before the effective date of this Act and that is still in force on  
18 the effective date, expires as follows:

19 (1) if the license would expire under the former law on a  
20 date during the one-year period following the effective date of  
21 this Act, the license continues to expire on that date; or

22 (2) if the license would expire under the former law on a  
23 date after the one-year period following the effective date of this  
24 Act, the license expires instead on a date during that one-year  
25 period to be determined by the division of the Texas Department of  
26 Human Resources. that is responsible for administering Chapter 42,  
27 Human Resources Code.

1 For issuing certificate to any fact or facts contained in the  
 2 records of his office ..... \$ 2.00  
 3 For issuing deposition each one hundred (100) words.. \$ .20  
 4 For issuing interrogatories with certificate and seal, per  
 5 page or portion thereof ..... \$ 1.00  
 6 For abstracting judgment ..... \$ 4.00  
 7 For approving each bond ..... \$ 4.00  
 8 For making a copy, other than a photocopy, of all records,  
 9 judgments, orders, pleading, or papers on file or of record in his  
 10 office, whether certified or not, for any person applying for same,  
 11 including the certificate and seal, per page or portion  
 12 thereof ..... \$ 1.00

13 SECTION 27. Chapter 85, Natural Resources Code, is amended  
 14 by adding Section 85.2025 to read as follows:

15 Sec. 85.2025. WELL COMPLETION FEE. (a) A person who is  
 16 required to file a report with the commission following the  
 17 completion of the drilling or deepening of an oil or gas well must  
 18 include with the report the payment of the following fee:

- 19 (1) if the depth of the well is 2,000 feet or less, a  
 20 fee of \$ \_\_\_\_\_;
- 21 (2) if the depth of the well is more than 2,000 feet  
 22 but less than 5,000 feet, a fee of \$ \_\_\_\_\_; or
- 23 (3) if the depth of the well is 5,000 feet or more, a  
 24 fee of \$ \_\_\_\_\_.

25 (b) The depth of a well is determined by measuring to its  
 26 point of maximum perforation.

27 (c) The commission shall deposit in the general revenue fund

1 license fee of no more than \$150 [6199], as fixed by the head of  
 2 the agency.

3 SECTION 11. Sections 101.006(a) and (d), Agriculture Code,  
 4 are amended to read as follows:

5 (a) Except as otherwise provided by this section, a person  
 6 applying for a license shall include with the license application a  
 7 license fee of \$100 [675].

8 (d) Except as otherwise provided by this section, a person  
 9 who applies for a license as a commission merchant or retailer  
 10 under both this chapter and Chapter 102 of this code is entitled to  
 11 pay a single license fee of \$100 [675]. The person's license shall  
 12 reflect that the person is licensed to handle both citrus fruit and  
 13 vegetables.

14 SECTION 12. Sections 102.006(a) and (d), Agriculture Code,  
 15 are amended to read as follows:

16 (a) Except as otherwise provided by this section, a person  
 17 applying for a license shall include with the license application a  
 18 license fee of \$100 [675].

19 (d) Except as otherwise provided by this section, a person  
 20 who applies for a license as a commission merchant or retailer  
 21 under both this chapter and Chapter 101 of this code is entitled to  
 22 pay a single license fee of \$100 [675]. The person's license shall  
 23 reflect that the person is licensed to handle both citrus fruit and  
 24 vegetables.

25 SECTION 13. Section 113.004, Agriculture Code, is amended to  
 26 read as follows:

27 Sec. 113.004. FEE. An applicant shall submit a fee of \$100

1 [685] with an application for registration as a cotton buyer.

2 SECTION 14. Section 132.026(c), Agriculture Code, is amended  
3 to read as follows:

4 (c) The fee schedule for a dealer-wholesaler is:

5 AVERAGE WEEKLY VOLUME PER PLANT	FEE
6 1 case or more but less than 10 cases .....	\$ 10.00 [ <del>7.50</del> ]
7 10 cases or more but less than 50 cases .....	\$ 15.00
8 50 cases or more but less than 100 cases .....	\$ 22.50
9 100 cases or more but less than 200 cases .....	\$ 37.50
10 200 cases or more but less than 500 cases .....	\$ 75.00
11 500 cases or more but less than 1,000 cases .....	\$ 112.50
12 1,000 cases or more but less than 1,500 cases .....	\$ 150.00
13 1,500 cases or more but less than 3,000 cases .....	\$ 300.00
14 3,000 cases or more but less than 4,500 cases .....	\$ 375.00
15 4,500 cases or more but less than 7,000 cases .....	\$ 500.00
16 7,000 cases or more but less than 10,000 cases .....	\$ 750.00
17 10,000 cases or more .....	\$1,000.00

18 SECTION 15. Section 3.29, Texas Clean Air Act (Article  
19 4477-5, Vernon's Texas Civil Statutes), is amended to read as  
20 follows:

21 Sec. 3.29. PERMIT AND VARIANCE FEES. The board may adopt  
22 rules relating to charging and collecting fees for permits,  
23 exemptions authorized by board rule from construction permits, and  
24 variances, including schedules of fees to be charged. The fees  
25 shall be sufficient to cover the reasonable costs of review and  
26 action by the board on a permit, exemption, or variance application  
27 and of implementing and enforcing the terms and conditions of the

1 For issuing each citation or other writ or process not  
2 otherwise provided for, including one (1) copy thereof, when  
3 requested at the time a suit or action is filed ..... \$ 8.00

4 For issuing each additional copy of any process, not  
5 otherwise provided for, when requested at the time a suit or action  
6 is filed ..... \$ 4.00

7 (2) The fees in this Subsection shall be due and payable at  
8 the time or times of performance or request for performance of  
9 services; shall be an obligation of the party to the suit or action  
10 initiating the request, and shall be additional to the fees  
11 provided for in Subsection (1) of this Act; provided, however, that  
12 the District Clerk may accept bond or bonds as security therefor.

13 For issuing each subpoena not provided for in Subsection (1),  
14 including one (1) copy thereof ..... \$ 4.00

15 For issuing each citation, commission for deposition, writ of  
16 execution, order of sale, writ of execution and order of sale, writ  
17 of injunction, writ of garnishment, writ of attachment, writ of  
18 sequestration not provided for in Section 1, or any other writ or  
19 process not otherwise provided for, including one (1) copy thereof  
20 when required by law ..... \$ 8.00

21 For issuing each additional copy of any writ or process not  
22 otherwise provided for ..... \$ 4.00

23 For searching the files or records, fees may be charged:

24 a. To locate any one cause when the person requesting same  
25 does not furnish the docket number of said cause, or

26 b. To ascertain the existence or nonexistence of any  
27 instrument or record in his office ..... \$ 5.00

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1 SECTION 24. Section 42.052(d), Human Resources Code, is  
2 amended to read as follows:

3 (d) To be registered with the division, a registered family  
4 home must comply with the department's rules and standards, must  
5 pay in the manner required by the division an initial registration  
6 fee of \$25, and must comply with any other provision of this  
7 chapter that applies to a registered family home. A registered  
8 family home must renew its registration each year by paying to the  
9 department, in the manner required by the division, a registration  
10 renewal fee of \$35.

11 SECTION 25. Chapter 42, Human Resources Code, is amended by  
12 adding Section 42.0525 to read as follows:

13 Sec. 42.0525. DEPOSIT OF FEES. The fees authorized by this  
14 chapter and received by the department shall be deposited in the  
15 general revenue fund.

\*

16 SECTION 26. Article 3927, Revised Statutes, is amended to  
17 read as follows:

18 Art. 3927. DISTRICT CLERK. The clerks of the district  
19 courts shall receive the following fees for their services:

20 (1) The fees in this Subsection shall be due and payable,  
21 and shall be paid at the time suit or action is filed.

22 For each suit filed, including appeals from inferior  
23 courts ..... \$100.00 [~~\$25.00~~]

24 For each cross action, intervention, contempt action or  
25 motion for new trial filed ..... \$15.00

26 For issuing each subpoena, including one (1) copy thereof,  
27 when requested at the time a suit or action is filed ..... \$ 4.00

1 permit, exemption, or variance. Fees adopted under this section  
2 shall be not less than \$50 nor more than \$15,000 [~~\$7,500~~].

3 SECTION 16. Section 28, Article 8306, Revised Statutes, is  
4 amended to read as follows:

5 Sec. 28. In addition to all other taxes now being paid, each  
6 stock company, mutual company, reciprocal, or inter-insurance  
7 exchange or Lloyds Association writing Workmen's Compensation  
8 insurance in this state, shall pay annually into the General  
9 Revenue Fund in the State Treasury an amount equal to sixty  
10 [~~forty-five~~] one-hundredths (60/100) [~~(45/100)~~] of one percent (1%)  
11 of gross premiums collected by such company or association during  
12 the preceding year under workmen's compensation policies written by  
13 such companies or associations covering risks in this state  
14 according to the reports made to the Board of Insurance  
15 Commissioners as required by law. Said amount shall be collected  
16 at the same time and in the same manner as provided by law for the  
17 collection of taxes on gross premiums of such workmen's  
18 compensation insurance carriers. All self-insurers under any of  
19 the Workmen's Compensation Acts of the State of Texas shall report  
20 to the State Board of Insurance the total amount of their medical  
21 and indemnity costs for the previous year and pay a like amount of  
22 tax as provided above on said total amount of medical and indemnity  
23 costs. Failure to make any report required by this Section shall  
24 be punishable by fine not to exceed One Thousand (\$1000) Dollars  
25 and the failure to pay any tax within thirty (30) days after same  
26 is due under this Section shall be punishable by a penalty of ten  
27 percent (10%) of the amount, and shall be recovered by the Attorney

1 General in a suit brought by him in the name of the State of Texas  
2 and such penalties when collected shall be deposited in the General  
3 Revenue Fund in the State Treasury.

4 SECTION 17. Section A, Article 10.01, Texas Business  
5 Corporation Act, is amended to read as follows:

6 A. The Secretary of State is authorized and required to  
7 collect for the use of the State the following fees:

8 (1) Filing articles of incorporation of a domestic  
9 corporation and issuing a certificate of incorporation, Two Hundred  
10 Dollars (\$200.00).

11 (2) Filing articles of amendment of a domestic corporation  
12 and issuing a certificate of amendment, Two Hundred Dollars  
13 (\$200.00) [One-Hundred-Dollars-(\$100.00)].

14 (3) Filing articles of merger or consolidation, whether the  
15 surviving or new corporation be a domestic or foreign corporation,  
16 Two Hundred Dollars (\$200.00).

17 (4) Filing an application of a foreign corporation for a  
18 certificate of authority to transact business in this State and  
19 issuing such a certificate of authority, One Thousand Dollars  
20 (\$1,000.00) [Five-Hundred-Dollars-(\$500.00)].

21 (5) Filing an application of a foreign corporation for an  
22 amended certificate of authority to transact business in this State  
23 and issuing such an amended certificate of authority, One Hundred  
24 Dollars (\$100.00).

25 (6) Filing restated articles of incorporation of a domestic  
26 corporation, Two Hundred Dollars (\$200.00).

27 (7) Filing application for reservation of corporate name and

1 \$500.

2 (n) The fee for a solid waste permit application is \$10,000.

3 SECTION 20. Section 27.014, Water Code, is amended to read  
4 as follows:

5 Sec. 27.014. APPLICATION FEE. With each application for an  
6 original [a] disposal well permit or a renewal permit, the  
7 department shall collect a fee of \$5,000 [~~\$25~~] for the benefit of  
8 the state.

9 SECTION 21. Section 42.046, Human Resources Code, is amended  
10 by adding Subsection (e) to read as follows:

11 (e) An applicant for a license to operate a day-care center  
12 must pay to the department, in the manner required by the division,  
13 a license application fee of \$25.

14 SECTION 22. Section 42.049(f), Human Resources Code, is  
15 amended to read as follows:

16 (f) A biennial license, or an annual license in the case of  
17 a license to operate a day-care center, must be issued if the  
18 division determines that a facility meets all requirements. The  
19 evaluation shall be based on a specified number of visits to the  
20 facility and a review of all required forms and records.

21 SECTION 23. Section 42.050, Human Resources Code, is amended  
22 by adding Subsection (d) to read as follows:

23 (d) When applying for a new license, a person licensed to  
24 operate a day-care center must pay to the department, in the manner  
25 required by the division, a license renewal fee of \$35 plus \$1  
26 times the maximum number of children that the day-care center is  
27 authorized to care for.

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1. for recreational use for any impoundments of water now or hereafter  
2. permitted by the state or exempted from permit by statute.

3. (j) The fee for other uses of water not specifically named  
4. in this section is \$10 [41] per acre-foot, except that no political  
5. subdivision may be required to pay fees to use water for recharge  
6. of underground freshwater-bearing sands and aquifers or for  
7. abatement of natural pollution.

8. (k) ~~[A-fee-charged-under-this-section-for-one-use-of-water~~  
9. ~~under-a-permit-from-the-commission-may-not-exceed-\$5,000.--The-fee~~  
10. ~~for-each-additional-use-of-water--under-a-permit--for-which--the~~  
11. ~~maximum-fee-is-paid-may-not-exceed-\$1,000.~~

12. [i] The fees prescribed by Subsections (h) through (j) of  
13. this section are one-time fees, payable when the application for an  
14. appropriation is made. However, if the total fee for a permit  
15. exceeds \$1,000, the applicant shall pay one-tenth of the fee when  
16. the application is filed, one-tenth within 30 days after notice is  
17. mailed to him that the permit is granted, and the balance before he  
18. begins to use water under the permit. If the applicant does not  
19. pay all of the amount owed before beginning [he--begins] to use  
20. water under the permit, the [his] permit is annulled.

21. (l) If [if] a permit is annulled, the matter shall  
22. revert to the status of a pending, filed application and, upon the  
23. payment of use fees as provided by this subsection together with  
24. sufficient postage fees for mailing notice of hearing, the  
25. commission shall set the application for hearing and proceed as  
26. provided by this code.

27. (m) The fee for a waste discharge permit application is

1. issuing certificate therefor, Twenty-Five Dollars (\$25.00).

2. (8) Filing notice of transfer of reserved corporate name and  
3. issuing a certificate therefor, Ten Dollars (\$10.00).

4. (9) Filing application for registration of corporate name  
5. and issuing a certificate therefor, Fifty Dollars (\$50.00).

6. (10) Filing application for renewal of registration of  
7. corporate name and issuing a certificate therefor, Fifty Dollars  
8. (\$50.00).

9. (11) Filing statement of change of registered office or  
10. registered agent, or both, Ten Dollars (\$10.00).

11. (12) Filing statement of change of address of registered  
12. agent, Ten Dollars (\$10.00); provided, however, that the maximum  
13. fee for simultaneous filings by a registered agent for more than  
14. one corporation shall not exceed Five Hundred Dollars (\$500.00).

15. (13) Filing statement of resolution establishing series of  
16. shares, Ten Dollars (\$10.00).

17. (14) Filing statement of cancellation of redeemable shares,  
18. Ten Dollars (\$10.00).

19. (15) Filing statement of cancellation of re-acquired shares,  
20. Ten Dollars (\$10.00).

21. (16) Filing statement of reduction of stated capital, Ten  
22. Dollars (\$10.00).

23. (17) Filing articles of dissolution and issuing certificate  
24. therefor, Twenty-Five Dollars (\$25.00).

25. (18) Filing application for withdrawal and issuing  
26. certificate therefor, Ten Dollars (\$10.00).

27. (19) Filing certificate from home state that foreign

1 corporation is no longer in existence in said state, Ten Dollars  
2 (\$10.00).

3 (20) Maintaining a record of service of any process, notice  
4 or demand upon the Secretary of State as agent for foreign and  
5 domestic corporations and for any foreign association, joint stock  
6 company, partnership, or nonresident natural person, Ten Dollars  
7 (\$10.00).

8 (21) Filing a bylaw or agreement restricting transfer of  
9 shares or securities other than as an amendment to the articles of  
10 incorporation, Ten Dollars (\$10.00).

11 (22) Filing any instrument pursuant to this Act not  
12 expressly provided for above, Ten Dollars (\$10.00).

13 (23) Filing application for reinstatement of corporate  
14 charter or certificate of authority following forfeiture under the  
15 Tax Code, Fifty Dollars (\$50.00).

16 SECTION 18. Section 43, Public Utility Regulatory Act  
17 (Article 1446c, Vernon's Texas Civil Statutes), is amended by  
18 adding Subsection (i) to read as follows:

19 (i) A statement of intent or statement of change proposing a  
20 change in a utility's rates that would result in an increase in the  
21 gross revenues of the utility must be accompanied by a filing fee  
22 in an amount equal to one-tenth of one percent of the total amount  
23 of that increase. The proceeds of this fee shall be deposited in  
24 the general revenue fund.

25 SECTION 19. Section 5.182, Water Code, is amended to read as  
26 follows:

27 Sec. 5.182. FEES. (a) The executive director shall charge

1 and collect the fees prescribed by this section. The executi  
2 director shall make a record of fees prescribed when due and shall  
3 render an account to the person charged with the fees. Each fee is  
4 a separate charge and is in addition to other fees unless provided  
5 otherwise.

6 (b) Except as specifically provided by this section, the fee  
7 for filing an application or petition is \$25 plus the cost of any  
8 required notice.

9 (c) The fee for filing a water permit application is \$75  
10 plus the cost of required notice.

11 (d) The fee for filing an application for fixing or  
12 adjusting rates is \$100 plus the cost of required notice.

13 (e) The fee for filing a water district creation petition or  
14 conversion resolution is \$60 plus the cost of required notice.

15 (f) The department shall base the [The] fee for filing a  
16 bond issue application on a sliding scale correlated to the size of  
17 the bond issue. The department shall set the application fee in an  
18 amount not less than \$100 or more than \$1,000, [is-\$100] plus the  
19 cost of required notice.

20 (g) The fee for recording an instrument in the office of the  
21 commission is \$1 per page.

22 (h) The fee for the use of water for irrigation is \$5 [50  
23 cents] per acre to be irrigated.

24 (i) The fee for impounding water, except under Section  
25 11.142 of this code, is \$5 [50-cents] per acre-foot of storage,  
26 based on the total holding capacity of the reservoir at normal  
27 operating level, provided that no additional fee shall be charged

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A BILL TO BE ENTITLED

8- 9-18--300

<sup>1</sup> *To: SEN. FINANCE Com.* AN ACT

2 relating to the fees collected by district clerks and to the  
3 funding and use of the district court supplemental salary and  
4 judicial system support fund; making an appropriation; amending  
5 Article 3927, Revised Statutes, as amended.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Article 3927, Revised Statutes, as amended, is  
8 amended to read as follows:

9 "Article 3927. DISTRICT CLERK. The clerks of the district  
10 courts shall receive the following fees for their services, unless  
11 the party requesting the services is unable to pay or give security  
12 for costs as determined under provisions of the Rules of Civil  
13 Procedure:

14 "(1) The fees in this Subsection shall be due and payable,  
15 and shall be paid at the time suit or action is filed.

16 "For each suit filed, including appeals from inferior courts  
17 .....\$65.00 (~~625.00~~)

18 "For each cross action, intervention, contempt action or  
19 motion for new trial filed ..... \$15.00

20 "For issuing each subpoena, including one (1) copy thereof,  
21 when requested at the time a suit or action is filed ..... \$ 4.00

22 "For issuing each citation or other writ or process not  
23 otherwise provided for, including one (1) copy thereof, when  
24 requested at the time a suit or action is filed ..... \$ 8.00

25 "For issuing each additional copy of any process, not

1 otherwise provided for, when requested at the time a suit or action  
2 is filed ..... \$ 4.00

3       "(2) The fees in this Subsection shall be due and payable at  
4 the time or times of performance or request for performance of  
5 services; shall be an obligation of the party to the suit or action  
6 initiating the request, and shall be additional to the fees  
7 provided for in Subsection (1) of this Act; provided, however, that  
8 the District Clerk may accept bond or bonds as security therefor.

9       "For issuing each subpoena not provided for in Subsection  
10 (1), including one (1) copy thereof ..... \$ 4.00

11       "For issuing each citation, commission for deposition, writ  
12 of execution, order of sale, writ of execution and order of sale,  
13 writ of injunction, writ of garnishment, writ of attachment, writ  
14 of sequestration not provided for in Section 1, or any other writ  
15 or process not otherwise provided for, including one (1) copy  
16 thereof when required by law ..... \$ 8.00

17       "For issuing each additional copy of any writ or process not  
18 otherwise provided for ..... \$ 4.00

19       "For searching the files or records, fees may be charged:

20       "a. To locate any one cause when the person requesting same  
21 does not furnish the docket number of said cause, or

22       "b. To ascertain the existence or nonexistence of any  
23 instrument or record in his office ..... \$ 5.00

24       "For issuing certificate to any fact or facts contained in  
25 the records of his office ..... \$ 2.00

26       "For issuing deposition each one hundred (100) words . \$ .20

1 August 31, 1987, there is hereby appropriated to the judiciary  
2 section, comptroller's department the ending balance as of August  
3 31, 1986, in the district court supplemental salary and judicial  
4 system support fund and the amounts remitted to the fund during the  
5 fiscal year ending August 31, 1987, for use as provided in this  
6 Act. There is hereby appropriated to the Office of Court  
7 Administration from the district court supplemental salary and  
8 judicial system support fund such amounts as may be allocated by  
9 the Judicial Budget Board for the proper administration of this  
10 Act, including personnel as authorized by the board.

11       SECTION 6. The importance of this legislation and the  
12 crowded condition of the calendars in both houses create an  
13 emergency and an imperative public necessity that the  
14 constitutional rule requiring bills to be read on three several  
15 days in each house be suspended, and this rule is hereby suspended.

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1 (b) The funds shall be used as provided by Section 2 of this  
2 Act.

3 (c) The officer collecting the filing fees shall keep  
4 separate records of the fees allocated to the fund and shall  
5 deposit the fees in the county treasury.

6 (d) The custodian of a county treasury shall remit to the  
7 comptroller of public accounts on or before the last day of the  
8 month following each calendar quarter period of three months the  
9 funds collected under this section during the preceding quarter.

10 The county may retain, as a collection fee, five percent of the  
11 funds collected under this section. If no fees due under this  
12 section have been collected in a quarter, the report required for  
13 the quarter shall be filed in the regular manner, and the report  
14 must state that no fees due under this section were collected.

15 (e) Funds collected are subject to audit by the comptroller  
16 of public accounts.

17 SECTION 4. Sections 1 and 3 of this Act take effect  
18 September 1, 1985, and apply only to fees payable on or after that  
19 date. Section 2 takes effect September 1, 1986. Fees that became  
20 payable before the effective date of this Act are covered by the  
21 law as it existed at the time the fees became payable, and the  
22 prior law is continued in effect for that purpose.

23 SECTION 5. There is hereby appropriated to the district  
24 court supplementary salary and judicial system support fund fees  
25 collected under Subsection (a) of Section 3 of this Act for the  
26 fiscal year ending August 31, 1986. For the fiscal year ending

1 "For issuing interrogatories with certificate and seal, per  
2 page or portion thereof ..... \$ 1.00

3 "For abstracting judgment ..... \$ 4.00

4 "For approving each bond ..... \$ 4.00

5 "For making a copy, other than a photocopy, of all records,  
6 judgments, orders, pleading, or papers on file or of record in his  
7 office, whether certified or not, for any person applying for same,  
8 including the certificate and seal, per page or portion thereof ...  
9 ..... \$ 1.00"

10 ~~SECTION 2.~~ (a) The district court supplemental salary and  
11 judicial system support fund is created in the State Treasury.

12 (b) The fund is composed of fees collected as provided by  
13 Section 3 of this Act.

14 (c) Each district judge shall receive a supplemental statu-  
15 salary from the fund in an amount necessary so that the total  
16 salary from the state equals 85 percent of the salary of a justice  
17 of the Supreme Court of Texas as provided by the General  
18 Appropriations Act. This provision shall not preclude any local  
19 supplementary compensation where otherwise authorized.

20 (d) The remaining amounts in the fund shall be allocated by  
21 the Judicial Budget Board under the supervision of the supreme  
22 court.

23 (e) Allocation may be made for the payment of salaries of  
24 employees, other than that of the district judges, and other  
25 necessary expenses in each judicial district and administrative  
26 judicial district, not to exceed \$27,500 per district per year.

1 Any district judge and presiding judge of an administrative  
 2 judicial district who wishes to receive funds from the district  
 3 court supplemental salary and judicial system support fund under  
 4 this subsection shall notify the Judicial Budget Board through the  
 5 Chief Justice of the Supreme Court of Texas of that fact and the  
 6 purposes for which the funds would be used at least 90 days prior  
 7 to the beginning of a state fiscal year. Such notice in any one  
 8 state fiscal year shall be construed to be sufficient notice for  
 9 subsequent fiscal years. If a district judge who has previously  
 0 received funds under this subsection desires to terminate such  
 .1 funds or to request a different amount, the district judge shall  
 12 notify the Judicial Budget Board of that fact at least 90 days  
 .3 prior to the beginning of the state fiscal year. Prior to the  
 .4 beginning of the state fiscal year, the Judicial Budget Board shall  
 .5 determine the amount allocated to each district and the purposes  
 16 for which it may be used, based on its determinations of the needs  
 17 of each district judge and presiding judge qualified to receive  
 .8 support funds provided by this section, and shall notify the judges  
 19 and the comptroller of public accounts. Any person employed under  
 20 the provisions of this subsection shall be employees of the state.  
 21 The compensation of personnel authorized by this subsection may be  
 22 supplemented from sources other than funds provided by this Act.  
 23 Funds allocated for salaries of classified positions may be  
 24 expended to employ personnel in the classified position titles  
 25 listed in the General Appropriations Act or in such other positions  
 26 established and approved by the State Classification Officer or

1 authorized by the Judicial Budget Board for use by the courts and  
 2 judicial agencies for support positions. Exempt personnel may be  
 3 employed in any exempt position authorized by the General  
 4 Appropriations Act, other than that of a judge.

5 (f) In addition to the allocations provided by Subsection  
 6 (e) from the fund, the Judicial Budget Board may allocate funds to  
 7 provide computer-aided transcription systems, either leased or  
 8 owned by the state, for such of the judicial districts of the state  
 9 and in such amounts and under such conditions as may be determined  
 10 by the board.

11 (g) It is the purpose of this Act to increase funds  
 12 available for the administration of justice in each county of the  
 13 state. Any funds made available under this Act may be supplemente.  
 14 by local funds. The commissioners court in each county shall not  
 15 reduce the amount of funds provided for that purpose by reason of  
 16 these funds being made available, except to comply with any salary  
 17 differential provided by the General Appropriations Act.

18 (h) Funds expended are subject to audit by the State  
 19 Auditor.

20 (i) Nothing in this Act shall be construed to diminish the  
 21 statutory duties and powers conferred on the clerks of the court,  
 22 sheriff, district attorney, or any officers of the court.

23 \* SECTION 3. (a) Each district clerk shall allocate the \$40  
 24 increase in the filing fee made by this Act in Article 3927,  
 25 Revised Statutes, as amended, to the district court supplemental  
 26 salary and judicial system support fund. \*

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T

THE ONLY INCREASE IN THIS BILL IS \$40.00 FOR THE FILING OF A NEW PETITION. THIS AMOUNT IS THEN TO BE RETURNED TO AUSTIN. SINCE NO OTHER INCREASES AS OUTLINED IN H.B. #191 FOR THE CLERKS ARE INCLUDED IN THIS BILL, THE DISTRICT CLERKS WOULD NOT RECEIVE AN INCREASE OF ANY KIND.

Filed by Bush  
(Callin & Traynor)  
8-9-255

A BILL TO BE ENTITLED  
AN ACT

CIVIL

1  
2 relating to the fees collected by district clerks and to the  
3 funding and use of the district court supplemental salary and  
4 judicial system support fund; making an appropriation; amending  
5 Article 3927, Revised Statutes, as amended.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Article 3927, Revised Statutes, as amended, is  
8 amended to read as follows:

9 "Article 3927. DISTRICT CLERK. The clerks of the district  
10 courts shall receive the following fees for their services, unless  
11 the party requesting the services is unable to pay or give security  
12 for costs as determined under provisions of the Rules of Civil  
13 Procedure:

14 "(1) The fees in this Subsection shall be due and payable,  
15 and shall be paid at the time suit or action is filed.

16 "For each suit filed, including appeals from inferior courts  
17 .....\$65.00 [~~\$25.00~~]+40.00

18 "For each cross action, intervention, contempt action or  
19 motion for new trial filed ..... \$15.00

20 "For issuing each subpoena, including one (1) copy thereof,  
21 when requested at the time a suit or action is filed ..... \$ 4.00

22 "For issuing each citation or other writ or process not  
23 otherwise provided for, including one (1) copy thereof, when  
24 requested at the time a suit or action is filed ..... \$ 8.00

25 "For issuing each additional copy of any process, not

1 otherwise provided for, when requested at the time a suit or action  
2 is filed ..... \$ 4.00

3       "(2) The fees in this Subsection shall be due and payable at  
4 the time or times of performance or request for performance of  
5 services; shall be an obligation of the party to the suit or action  
6 initiating the request, and shall be additional to the fees  
7 provided for in Subsection (1) of this Act; provided, however, that  
8 the District Clerk may accept bond or bonds as security therefor.

9       "For issuing each subpoena not provided for in Subsection  
10 (1), including one (1) copy thereof ..... \$ 4.00

11       "For issuing each citation, commission for deposition, writ  
12 of execution, order of sale, writ of execution and order of sale,  
13 writ of injunction, writ of garnishment, writ of attachment, writ  
14 of sequestration not provided for in Section 1, or any other writ  
15 or process not otherwise provided for, including one (1) copy  
16 thereof when required by law ..... \$ 8.00

17       "For issuing each additional copy of any writ or process not  
18 otherwise provided for ..... \$ 4.00

19       "For searching the files or records, fees may be charged:

20       ".a. To locate any one cause when the person requesting same  
21 does not furnish the docket number of said cause, or

22       ".b. To ascertain the existence or nonexistence of any  
23 instrument or record in his office ..... \$ 5.00

24       "For issuing certificate to any fact or facts contained in  
25 the records of his office ..... \$ 2.00

26       "For issuing deposition each one hundred (100) words . \$ .20

1 August 31, 1987, there is hereby appropriated to the judiciary  
2 section, comptroller's department the ending balance as of August  
3 31, 1986, in the district court supplemental salary and judicial  
4 system support fund and the amounts remitted to the fund during the  
5 fiscal year ending August 31, 1987, for use as provided in this  
6 Act. There is hereby appropriated to the Office of Court  
7 Administration from the district court supplemental salary and  
8 judicial system support fund such amounts as may be allocated by  
9 the Judicial Budget Board for the proper administration of this  
10 Act, including personnel as authorized by the board.

11       SECTION 6. The importance of this legislation and the  
12 crowded condition of the calendars in both houses create an  
13 emergency and an imperative public necessity that the  
14 constitutional rule requiring bills to be read on three several  
15 days in each house be suspended, and this rule is hereby suspended.

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1 (b) The funds shall be used as provided by Section 2 of this  
2 Act.

3 (c) The officer collecting the filing fees shall keep  
4 separate records of the fees allocated to the fund and shall  
5 deposit the fees in the county treasury.

6 (d) The custodian of a county treasury shall remit to the  
7 comptroller of public accounts on or before the last day of the  
8 month following each calendar quarter period of three months the  
9 funds collected under this section during the preceding quarter.  
10 The county may retain, as a collection fee, five percent of the  
11 funds collected under this section. If no fees due under this  
12 section have been collected in a quarter, the report required for  
13 the quarter shall be filed in the regular manner, and the report  
14 must state that no fees due under this section were collected.

15 (e) Funds collected are subject to audit by the comptroller  
16 of public accounts.

17 SECTION 4. Sections 1 and 3 of this Act take effect  
18 September 1, 1985, and apply only to fees payable on or after that  
19 date. Section 2 takes effect September 1, 1986. Fees that became  
20 payable before the effective date of this Act are covered by the  
21 law as it existed at the time the fees became payable, and the  
22 prior law is continued in effect for that purpose.

23 SECTION 5. There is hereby appropriated to the district  
24 court supplementary salary and judicial system support fund fees  
25 collected under Subsection (a) of Section 3 of this Act for the  
26 fiscal year ending August 31, 1986. For the fiscal year ending

1 "For issuing interrogatories with certificate and seal, per  
2 page or portion thereof ..... \$ 1.00 ✓  
3 "For abstracting judgment ..... \$ 4.00 ✓  
4 "For approving each bond ..... \$ 4.00 ✓  
5 "For making a copy, other than a photocopy, of all records,  
6 judgments, orders, pleading, or papers on file or of record in his  
7 office, whether certified or not, for any person applying for same,  
8 including the certificate and seal, per page or portion thereof ...  
9 ..... \$ 1.00" ✓

10 SECTION 2. (a) The district court supplemental salary and  
11 judicial system support fund is created in the State Treasury.

12 (b) The fund is composed of fees collected as provided by  
13 Section 3 of this Act.

14 (c) Each district judge shall receive a supplemental state  
15 salary from the fund in an amount necessary so that the total  
16 salary from the state equals 85 percent of the salary of a justice  
17 of the Supreme Court of Texas as provided by the General  
18 Appropriations Act. This provision shall not preclude any local  
19 supplementary compensation where otherwise authorized.

20 (d) The remaining amounts in the fund shall be allocated by  
21 the Judicial Budget Board under the supervision of the supreme  
22 court.

23 (e) Allocation may be made for the payment of salaries of  
24 employees, other than that of the district judges, and other  
25 necessary expenses in each judicial district and administrative  
26 judicial district, not to exceed \$27,500 per district per year.

1 Any district judge and presiding judge of an administrative  
2 judicial district who wishes to receive funds from the district  
3 court supplemental salary and judicial system support fund under  
4 this subsection shall notify the Judicial Budget Board through the  
5 Chief Justice of the Supreme Court of Texas of that fact and the  
6 purposes for which the funds would be used at least 90 days prior  
7 to the beginning of a state fiscal year. Such notice in any one  
8 state fiscal year shall be construed to be sufficient notice for  
9 subsequent fiscal years. If a district judge who has previously  
10 received funds under this subsection desires to terminate such  
11 funds or to request a different amount, the district judge shall  
12 notify the Judicial Budget Board of that fact at least 90 days  
13 prior to the beginning of the state fiscal year. Prior to the  
14 beginning of the state fiscal year, the Judicial Budget Board shall  
15 determine the amount allocated to each district and the purposes  
16 for which it may be used, based on its determinations of the needs  
17 of each district judge and presiding judge qualified to receive  
18 support funds provided by this section, and shall notify the judges  
19 and the comptroller of public accounts. Any person employed under  
20 the provisions of this subsection shall be employees of the state.  
21 The compensation of personnel authorized by this subsection may be  
22 supplemented from sources other than funds provided by this Act.  
23 Funds allocated for salaries of classified positions may be  
24 expended to employ personnel in the classified position titles  
25 listed in the General Appropriations Act or in such other positions  
26 established and approved by the State Classification Officer or

1 authorized by the Judicial Budget Board for use by the courts and  
2 judicial agencies for support positions. Exempt personnel may be  
3 employed in any exempt position authorized by the General  
4 Appropriations Act, other than that of a judge.

5 (f) In addition to the allocations provided by Subsection  
6 (e) from the fund, the Judicial Budget Board may allocate funds to  
7 provide computer-aided transcription systems, either leased or  
8 owned by the state, for such of the judicial districts of the state  
9 and in such amounts and under such conditions as may be determined  
10 by the board.

11 (g) It is the purpose of this Act to increase funds  
12 available for the administration of justice in each county of the  
13 state. Any funds made available under this Act may be supplemented  
14 by local funds. The commissioners court in each county shall not  
15 reduce the amount of funds provided for that purpose by reason of  
16 these funds being made available, except to comply with any salary  
17 differential provided by the General Appropriations Act.

18 (h) Funds expended are subject to audit by the State  
19 Auditor.

20 (i) Nothing in this Act shall be construed to diminish the  
21 statutory duties and powers conferred on the clerks of the court,  
22 sheriff, district attorney, or any officers of the court.

23 \* SECTION 3. (a) Each district clerk shall allocate the \$40  
24 increase in the filing fee made by this Act in Article 3927,  
25 Revised Statutes, as amended, to the district court supplemental  
26 salary and judicial system support fund.

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P.

# JUDICIAL CAMPAIGN FUNDS.

FUNDED BY DISTRICT CLERKS  
FILING FEE of \$100.00

Pages 8 & 9

TEXAS LEGISLATIVE SERVICE  
3/8/85  
Filed by Schluster

HB 2051

*Other Civil*

8- 9--255 A BILL TO BE ENTITLED  
AN ACT

1  
2 relating to the financing of campaigns for certain judicial offices  
3 and the increase of certain fees collected by clerks of court.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 14, Texas Election Code, is amended by  
6 adding Section 246a to read as follows:

7 246a. CAMPAIGNS FOR APPELLATE JUDICIAL OFFICE

8 Subdiv. 1. DEFINITIONS. In this section:

9 (1) "Appellate judicial office" means the office of chief  
10 justice or justice, supreme court, presiding judge or judge, court  
11 of criminal appeals, or chief justice or justice, court of appeals.

12 (2) "Fund" means the judicial campaign fund.

13 Subdiv. 2. JUDICIAL CAMPAIGN FUND. (a) The judicial  
14 campaign fund is created as a special fund in the state treasury  
15 consisting of fees collected under Articles 3923(A)(1)(a),  
16 3924(A)(1)(a), and 3927(A)(1)(a), Revised Statutes.

17 (b) Subject to legislative appropriation, the comptroller of  
18 public accounts shall distribute amounts from the fund according to  
19 Subdivisions 3 and 4 of this section.

20 (c) To be eligible to receive money from the fund, a person  
21 must be a candidate in a primary election or nominee of a party  
22 that:

23 (1) received at least five percent of the total votes cast  
24 in the most recent gubernatorial general election; or

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1 (2) accepts at least \$100,000 in contributions by June 1 of  
2 the year of the election for which the candidate is campaigning.

3 (d) The provisions of this chapter regulating use of  
4 contributions apply to money received by a candidate from the fund.

5 Subdiv. 3. CAMPAIGN FOR NOMINATION. (a) In a campaign for  
6 nomination to office, a candidate who accepts money from the fund  
7 for the office of chief justice, supreme court, may not spend more  
8 than \$500,000 and a candidate who accepts money from the fund for  
9 any other judicial appellate office may not spend more than  
10 \$300,000.

11 (b) After May 1 of the year of the election for which the  
12 candidate is campaigning, the candidate may not accept  
13 contributions.

14 (c) To qualify to receive money from the fund, a candidate  
15 must have accepted at least \$25,000 in contributions.

16 (d) A candidate who qualifies under Paragraph (c) of this  
17 subdivision is eligible to receive an amount from the fund equal to  
18 amounts the candidate accepts in contributions not to exceed  
19 \$250,000 for the office of chief justice, supreme court, or  
20 \$150,000 for any other appellate judicial office.

21 (e) Beginning in January and ending in May of the year of  
22 the election for which the candidate is campaigning, to receive  
23 money from the fund, on the first day of the month a candidate must  
24 file with the comptroller of public accounts a voucher on a form  
25 prescribed by the secretary of state.

26 (f) Not later than the 10th day after the date a voucher is  
27 filed under Paragraph (e) of this subdivision, the comptroller

1 shall distribute the appropriate amounts to each candidate.

2 (g) If the amount in the fund is insufficient to provide the  
3 amounts prescribed by this subdivision, the comptroller shall  
4 distribute the amount in the fund on a pro rata basis.

5 Subdiv. 4. CAMPAIGN FOR ELECTION. (a) A party nominee for  
6 an appellate judicial office may not use money to campaign for  
7 office from any source other than the judicial campaign fund.

8 (b) Each nominee for appellate judicial office is entitled  
9 to receive a total of \$500,000 from the fund, distributed by the  
10 comptroller of public accounts in equal amounts on June 1, July 1,  
11 and August 1 of the year of the election.

12 (c) If the amount in the fund is insufficient to provide the  
13 amounts prescribed by this subdivision, the comptroller shall  
14 distribute the amount in the fund on a pro rata basis.

15 Subdiv. 5. CONTRIBUTIONS. (a) An individual may not make  
16 contributions to a candidate for nomination to an appellate  
17 judicial office that in the aggregate exceed \$250.

18 (b) An individual may not make contributions to a party  
19 nominee for an appellate judicial office.

20 (c) A political committee may not make contributions to a  
21 candidate for nomination to an appellate judicial office or to a  
22 party nominee for such an office.

23 Subdiv 6. WITHDRAWAL OF CANDIDACY. A candidate who  
24 withdraws from an election shall refund amounts received from the  
25 fund not later than the 10th day after the date the candidate  
26 withdraws.

27 Subdiv. 7. SECRETARY OF STATE TO PRESCRIBE SUPPLEMENTAL

1 PROCEDURES. The secretary of state shall prescribe any additional  
2 procedures necessary to implement this section.

3 SECTION 2. Article 3923, Revised Statutes, is amended by  
4 amending Section (A) and by adding Section (C) to read as follows:

5 (A) The Clerk of the Supreme Court shall receive the  
6 following fees and costs:

7 1. For the filing of records, applications, motions, briefs,  
8 and other necessary and proper papers; for the docketing and docket  
9 and minute book entries; for issuing notices, citations, processes,  
10 mandates; and for the performance of other proper and necessary  
11 clerical duties in cases before the court, he shall receive the fee  
12 set out opposite each class of the following cases:

13 (a) Application for writ of error ..... \$500 (~~\$50~~)

14 (b) If application for writ of error is granted,  
15 an additional fee of ..... \$75

16 (c) Motion for leave to file petition for writ of  
17 mandamus, prohibition, injunction, and other like  
18 proceedings originating in the Supreme Court ..... \$50

19 (d) If motion for leave to file petition for writ  
20 of mandamus, prohibition, injunction, certiorari, or  
21 other like proceeding be granted, an additional fee of ..... \$75

22 (e) Certified questions from the Court of Appeals  
23 to the Supreme Court ..... \$75

24 (f) In cases appealed to the Supreme Court from  
25 the District Court by direct appeal ..... \$100

26 (g) Each and every other proceeding filed in the  
27 Supreme Court ..... \$75

1 nonexistence of any instrument or record in his office ..... \$5.00

2 (e) For issuing certificate to any fact or facts  
3 contained in the records of his office ..... \$2.00

4 (f) For issuing deposition each one hundred (100)  
5 words ..... \$2.00

6 (g) For issuing interrogatories with certificate  
7 and seal, per page or portion thereof ..... \$1.00

8 (h) For abstracting judgment ..... \$4.00

9 (i) For approving each bond ..... \$4.00

10 (j) For making a copy, other than a photocopy, of  
11 all records, judgments, orders, pleading, or papers on  
12 file or of record in his office, whether certified or  
13 not, for any person applying for same, including the  
14 certificate and seal, per page or portion thereof ..... \$1.00

15 (B) Fees collected under Section (A)(1)(a) of this article  
16 shall be deposited in the state treasury to the credit of the  
17 judicial campaign fund.

18 SECTION 5. This Act takes effect January 1, 1986.

19 SECTION 6. The importance of this legislation and the  
20 crowded condition of the calendars in both houses create an  
21 emergency and an imperative public necessity that the  
22 constitutional rule requiring bills to be read on three several  
23 days in each house be suspended, and this rule is hereby suspended.

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1 the time a suit or action is filed ..... \$4.00

2 (2) The fees in this subdivision [Subsection]

3 shall be due and payable at the time or times of

4 performance or request for performance of services; shall

5 be an obligation of the party to the suit or action

6 initiating the request, and shall be additional to the

7 fees provided for in Subdivision [Subsection] (1) of this

8 article [Act]; provided, however, that the District Clerk

9 may accept bond or bonds as security therefor.

10 (a) For issuing each subpoena not provided for in

11 Subdivision [Subsection] (1), including one (1) copy

12 thereof ..... \$4.00

13 (b) For issuing each citation, commission for

14 deposition, writ of execution, order of sale, writ of

15 execution and order of sale, writ of injunction, writ of

16 garnishment, writ of attachment, writ of sequestration

17 not provided for in Subdivision [Section] 1, or any other

18 writ or process not otherwise provided for, including one

19 (1) copy thereof when required by law ..... \$8.00

20 (c) For issuing each additional copy of any writ

21 or process not otherwise provided for ..... \$4.00

22 (d) For searching the files or records, fees may

23 be charged:

24 (1) [a:] To locate any one cause when the person

25 requesting same does not furnish the docket number of

26 said cause, or

27 (1) [b:] To ascertain the existence or

1 2. Administering an oath or affirmation and giving

2 certificate thereof, with seal ..... \$5

3 3. Making copies of any papers of record in offices,

4 including certificate and seal, a minimum charge of \$5, or 50 cents

5 per page if in excess of 10 pages.

6 Provided the Supreme Court may by order or rule fix a

7 reasonable fee for any official service performed by its Clerk not

8 otherwise provided herein.

9 The Supreme Court shall provide by order or rule for the

10 making of deposits to cover the costs in cases before the court as

11 classified above, but nothing herein shall be construed as

12 requiring a deposit in any case in which the petitioner, relator,

13 or appellant in the Supreme Court is exempt from the giving of a

14 bond.

15 \* (C) Fees collected under Section (A)(1)(a) of this article

16 shall be deposited in the state treasury to the credit of the

17 judicial campaign fund.

18 SECTION 3. Article 3924, Revised Statutes, is amended to

19 read as follows:

20 Art 3924. CLERKS OF COURTS OF APPEALS. (A) The Clerks of

21 the Courts of Appeals shall receive the following fees in civil

22 cases:

23 1. For the filing of records, applications, motions, briefs

24 and other necessary and proper papers, for the docketing and docket

25 and minute book entries; for issuing notices, citations, processes

26 and mandates, for preparing transcript on application for writ of

27 error to Supreme Court of Texas; and for the performance of other

1 proper and necessary clerical duties in cases before the Court,  
2 they shall receive the fee set out opposite each class of the  
3 following cases:

4 (a) In cases appealed to and filed in the Court of,  
5 Appeals from the district and county courts within its  
6 Supreme Judicial District ..... \$500.00 [~~650.00~~]

7 (b) Motion for leave to file petition for writ of  
8 mandamus, prohibition, injunction and other like  
9 proceedings originating in the Court of Appeals ..... 20.00

10 (c) If motion for leave to file petition for writ  
11 of mandamus, prohibition, injunction and other like  
12 proceedings be granted, an additional fee of ..... 30.00

13 (d) Motion to file or to extend time to file  
14 record on appeal from district or county court ..... 5.00

15 2. Administering an oath or affirmation and giving  
16 certificate thereof with seal ..... 5.00

17 3. Making copies of any papers of record in offices,  
18 including certificate and seal, a minimum charge of \$5.00, or \$1.00  
19 per page if in excess of five pages.

20 4. Comparing and certifying any document with the original  
21 of any papers, judgments or orders on file or of record in their  
22 offices, a minimum charge of \$5.00, or \$1.00 per page if in excess  
23 of five pages.

24 Provided the Supreme Court may by order or rule fix a  
25 reasonable fee for any official service performed by the Clerks of  
26 the Courts of Appeals not otherwise provided herein.

27 The Supreme Court shall provide by order or rule for the

1 making of deposits to cover the costs in cases before the Courts of  
2 Appeals as classified above, but nothing herein shall be construed  
3 as requiring a deposit in any case in which the petitioner,  
4 relator, appellant, or movant in the Courts of Appeals is exempt  
5 from the giving of a bond.

6 (B) Fees collected under Section (A)(1)(a) of this article  
7 shall be deposited in the state treasury to the credit of the  
8 judicial campaign fund.

9 SECTION 4. Article 3927, Revised Statutes, is amended to  
10 read as follows:

11 ~~X~~ Art. 3927. DISTRICT CLERK. (A) The clerks of the district  
12 courts shall receive the following fees for their services:

13 (1) The fees in this subdivision [Subsection] shall be due  
14 and payable, and shall be paid at the time suit or action is filed.

15 (a) For each suit filed, including appeals from  
16 inferior courts ..... \$100.00 [~~625.00~~]

17 (b) For each cross action, intervention, contempt  
18 action or motion for new trial filed ..... \$15.00

19 (c) For issuing each subpoena, including one (1)  
20 copy thereof, when requested at the time a suit or action  
21 is filed ..... \$4.00

22 (d) For issuing each citation or other writ or  
23 process not otherwise provided for, including one (1)  
24 copy thereof, when requested at the time a suit or action  
25 is filed ..... \$8.00

26 (e) For issuing each additional copy of any  
27 process, not otherwise provided for, when requested at

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JOHN DEERE INSURANCE COMPANY



SURETY BOND

Bond Number ▶ B-N-32164

Date Issued 18 March 1985 - 18 March 1990

Principal's Name and Address . . . ▶

Norwell Equipment Co.  
P.O. Box 37210  
Strevport, LA 71109

POWER OF ATTORNEY  
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS, That JOHN DEERE INSURANCE COMPANY, NY, an Illinois Corporation, does hereby make constitute and appoint Robert E. Nixon, Raymond R. Kisch, Edward A. Stott, Howard J. Payne and Gay Proulx each, its true and lawful Agent(s) and Attorney(s)-in-Fact, with full power and authority conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, any and all bonds or obligations.

IN WITNESS WHEREOF, said JOHN DEERE INSURANCE COMPANY has caused these presents to be executed by its President and its Secretary with its corporate seal affixed this 9th day of February, 19 84.



JOHN DEERE INSURANCE COMPANY

By Robert E. Nixon  
Robert E. Nixon, President

By Raymond R. Kisch  
Raymond R. Kisch, Secretary

State of Illinois )  
County of Rock Island )

I, Nancy A. Mee, Notary Public do hereby certify that Robert E. Nixon, President of JOHN DEERE INSURANCE COMPANY, and Raymond R. Kisch, Secretary of said Company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Secretary, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as the free and voluntary act of said JOHN DEERE INSURANCE COMPANY, and as their own free and voluntary acts as such President and as such Secretary, for the use and purpose therein set forth

Given under my hand and official seal, this 9th day of February, 19 84.

Nancy A. Mee  
Notary Public  
My commission expires October 26, 1987

I, the undersigned, Secretary of JOHN DEERE INSURANCE COMPANY, hereby certify that the following is a true and exact copy of two resolutions passed by the Board of Directors of JOHN DEERE INSURANCE COMPANY at meetings held by the Board of said Company, a quorum being present and voting, on the dates specified below, which resolutions are still in effect.

RESOLVED, that the President or any Vice President in conjunction with any Secretary or Assistant Secretary, be and they are hereby authorized and empowered to appoint Attorneys-in-Fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys in-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected Officers of the Company in their own proper persons (adopted September 11, 1969).

RESOLVED, that the signature of any Officer authorized by the Bylaws and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such Officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed (adopted April 29, 1971).

I further certify that the foregoing Power of Attorney is a correct and true copy of the original Power of Attorney and that said Power of Attorney has not been revoked.

I further certify that said JOHN DEERE INSURANCE COMPANY is duly licensed to transact fidelity and surety business in each of the States of the United States.

Given under my hand and seal at Moline, Illinois, this 18th day of March, 1985.



Raymond R. Husco  
Secretary

## JOHN DEERE INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that we Norwel Equipment Co.  
Shreveport, LA  
(hereinafter called "Principal"), as Principal, and John Deere Insurance Company,  
a Corporation organized and existing under the laws of the State of Illinois, and  
authorized to transact business in the State of Louisiana  
(hereinafter called "Surety"), as Surety, are held and firmly bound unto

Upshur County, Gilmer, TX

(hereinafter called "Obligee"), in the penal sum of \$16,300.00  
Sixteen thousand three hundred and 00/100  
good and lawful money of the United States of America, for the payment of which,  
well and truly to be made, we bind ourselves, our heirs, administrators, executors,  
successors and assigns, jointly and severally, firmly by these presents.

SEALED with our seals and dated this 18th day of March,  
19 85, on the following described

1 John Deere 770A Grader, SN 506746

(hereinafter called "equipment"), and

WHEREAS, the said contract provides for an established guaranteed  
repurchase price for the equipment upon compliance with certain stipulated  
conditions, and

WHEREAS, the Obligee requires and the Principal and Surety agree to  
issue this bond in support of the above mentioned guarantee.

NOW THEREFORE, the condition of this obligation is such, that if the  
above bounden Principal shall well and truly keep, do and perform the duties  
required of the Principal as set forth in the said contract and in the manner spec-  
ified therein, then this obligation shall be void; otherwise to remain in full force  
and effect.

PROVIDED, however, that the liability of the Surety hereunder shall be  
limited with respect to the singular guarantee as follows:

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AND FURTHER PROVIDED, however, this bond is executed by the Surety, upon the express condition that no right of action shall accrue upon or by reason hereof, to or for the use or benefit of anyone other than the Obligee named herein; and the obligation of the Surety is and shall be construed strictly as one of the suretyship only.

AND FURTHER PROVIDED, however, that this bond is not transferable or assignable by the Obligee named herein.

Norwel Equipment Co.

By: J. L. Baubler

JOHN DEERE INSURANCE COMPANY

By: Gary Paulk

Attorney-in-Fact

Attest: Howard J. Payne



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COMMISSION  
ROBERT C. LANIER, CHAIRMAN  
ROBERT H. DEDMAN  
JOHN R. BUTLER, JR.

STATE DEPARTMENT OF HIGHWAYS  
AND PUBLIC TRANSPORTATION

P. O. Box 890  
Atlanta, Texas 75551  
March 20, 1985

ENGINEER-DIRECTOR  
MARK G. GOODE

IN REPLY REFER TO  
FILE NO.

Transmittal Of Agreement To Contribute Funds

Upshur County  
CSJ 392-2-50  
8019-1-60  
U.S. 259: From 1.4 Mile South of S.H. 154  
To Gregg County Line

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

Dear Judge Dean:

Attached for the county's files is a fully executed agreement to contribute funds for right of way procurement on the above project.

The county's check in the amount of \$25,000 has been received by our Austin office.

Sincerely yours,

L. L. Jester, Jr., P.E.  
District Engineer (19)

By: *James R. Stuckey*

James R. Stuckey  
R.O.W. Agent IV

Attachment  
JRS:dcw

CC: Mr. Bybee Weisinger



AGREEMENT TO CONTRIBUTE FUNDS  
(COUNTY FORM)

STATE OF TEXAS §  
COUNTY OF TRAVIS §

COUNTY Upshur  
PROJECT 8019-1-60  
HIGHWAY US 259  
CSJ 392-02-50

This agreement by and between the State of Texas, acting by and through the State Department of Highways and Public Transportation, hereinafter called the State, and Upshur County, Texas, acting by and through its duly authorized officials under Commissioners' Court Order dated the 11 day of February, 19 85, hereinafter called the County, shall be effective on the date of approval and execution by and on behalf of the State.

WHEREAS, the State has requested the County to enter into contractual agreements and acquire right of way on the following projects:

Highway	Account No.	Limits
US 259	8019-1-60	From 1.4 Mi. South of SH 154 (FM 3245) To Gregg County Line

\_\_\_\_\_ ; and,

WHEREAS, the County has now requested that the State assume responsibility for acquisition of all necessary right of way; and,

WHEREAS, the County desires to voluntarily contribute to the State funds, equal to ten percent (10%) of the cost of the right of way, for the proper development and construction of the State Highway System.

NOW, THEREFORE, in consideration of the foregoing premises and the mutual benefits to be derived therefrom, the County shall contribute to the State an amount equal to ten percent (10%) of the cost of the right of way to be acquired by the State and shall transmit to the State with the return of this agreement, executed by the County, a warrant or check payable to the State Department of Highways and Public Transportation in the amount of Twenty Five Thousand and No/100 Dollars (\$ 25,000.00 ), which represents 10% of the estimated cost of the right of way; however, if it is found that this amount is insufficient to pay the County's obligation, then the County, upon request of the State, will forthwith supplement this amount in such amount as requested by the State. Upon completion of the project and in the event the amount as paid is more than 10% of the cost of the right of way, then any excess amount will be returned to the County. Cost of the right of way acquired by the State shall mean the total value of compensation to owners for their property interests either by negotiation or eminent domain.

This agreement is approved and executed on behalf of the State this 11th day of March, 1985.

Upshur County, Texas

By: [Signature]  
County Judge

ATTEST:

[Signature]  
County Clerk

[Signature]  
Commissioner, Precinct #1

[Signature]  
Commissioner, Precinct #2

[Signature]  
Commissioner, Precinct #3

[Signature]  
Commissioner, Precinct #4

THE STATE OF TEXAS

Certified as being executed for the purpose and effect of activating and/or carrying out the orders, established policies, or work programs heretofore approved and authorized by the State Highway and Public Transportation Commission:

By: [Signature]  
Right of Way Engineer

Executed and approved for State Highway and Public Transportation Commission under authority of Commission Minute No. 82513 and A. O. 10-84

RECOMMENDED FOR APPROVAL:

[Signature]  
For: District Engineer (19)

A RESOLUTION AUTHORIZING THE UPSHUR COUNTY JUDGE TO EXECUTE FOR AND ON BEHALF OF UPSHUR COUNTY, TEXAS, AN AGREEMENT TO CONTRIBUTE FUNDS TO THE STATE FOR PROPER DEVELOPMENT AND CONSTRUCTION OF THE STATE HIGHWAY SYSTEM

WHEREAS, the State Department of Highways and Public Transportation has approved a project for U.S. 259 from 1.4 mile South of SH 154 (FM 3245) To The Gregg County Line; and

WHEREAS, the State had requested the County to enter into Contractual Agreements and acquire right of way on the above referenced project; and

WHEREAS, the County has now requested that the State assume responsibility for acquisition of all necessary right of way; and

WHEREAS, the County desires to voluntarily contribute to the State funds equal to ten percent (10%) of the cost of the right of way for the proper development and construction of the State Highway System,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF UPSHUR COUNTY:

Section 1: That the County Judge of Upshur County be authorized to execute for and on behalf of Upshur County the agreement to contribute funds with the State to cover right of way acquisition, and the County Clerk is directed to attest this agreement with the State and to affix the seal of Upshur County thereto.

Section 2: It is further resolved that the County Judge is authorized to execute on behalf of Upshur County any supplemental agreements or further modifications to the above referenced agreement.

Section 3: That a copy of said agreement is attached hereto and made a part hereof as if fully set out herein.

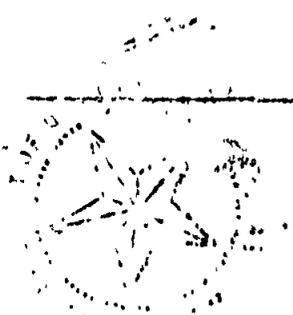
Section 4: That this resolution shall become effective immediately upon passage and approval.

MOTION made by Commissioner David Loyd and  
SECONDED by Commissioner Gaddis Lindsey, 1985.

PASSED AND APPROVED this 11 day of February, 1985.

UPSUR COUNTY COMMISSIONERS' COURT:

Frederick Deane  
COUNTY JUDGE  
Gaddis Lindsey  
COMMISSIONER - PRECINCT NO. 1  
J.W. Meadows  
COMMISSIONER - PRECINCT NO. 2  
David Loyd  
COMMISSIONER - PRECINCT NO. 3  
Paul ...  
COMMISSIONER - PRECINCT NO. 4



ATTEST:

[Signature]  
COUNTY CLERK, UPSHUR COUNTY

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

# 1  
Date 3-12-85

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

Formal notice is hereby given that Etex Telephone Cooperative, Inc.  
whose principal address is P. O. Box 130, Gilmer, Texas 75544  
does propose to place a buried telephone cable  
within the RCW of County Road (s) Humming Bird Rd

in Precinct # One as follows:

*To-bury-underground-telephone-along  
south-side-of-above-mentioned-County  
Road.*

The location and description of the proposed lines or appertenances is  
more fully shown by two (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<sup>th</sup> day  
of March 1985.

*Approved  
3-25-85*

Firm Etex Telephone Corp  
By Fannie Mitchell  
Title Right of Way Agent  
Address Box 130  
Gilmer, Texas 75544

VOL. 25 <sup>DAK LOWN</sup> <sup>CHURCH</sup> PG. 540

← To Gilmer

old state # 300

To Glenwood →

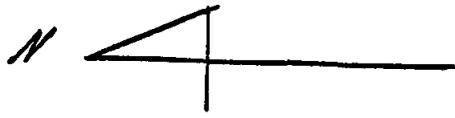
Herring Bird County Rd



← To Gilmer

New State Highway # 300

To Longview →



Count

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 1  
DATE March 15, 1985

Formal notice is hereby given that Irvin Elkins  
whose principal address is Rt. 11 Box RH14, Longview, Texas 75603  
does propose to place a culvert installation  
within the ROW of County Road Myrtle Lane  
as follows:

*643 1983 Home  
758-3346 Ext 345*

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\_\_\_\_.

NAME Irvin Elkins

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_

*Approved  
3-25-85*

~~VOL. 25~~ ~~PL. 542~~

Not Approved

SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned, Luckwood Construction, hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 1, 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. 1, 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) Bob O Link Road

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 gravel from its lands located in Precinct No. 1, 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.

5.

First Party agrees to post surety bond in the amount of \_\_\_\_\_ to Upshur County Commissioners Court to insure performance of agreement.

6.

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 the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_\_.

  
FIRST PARTY Luckwood Construction.

\_\_\_\_\_  
COUNTY JUDGE

\_\_\_\_\_  
COMMISSIONER #1

\_\_\_\_\_  
COMMISSIONER #2

\_\_\_\_\_  
COMMISSIONER #3

\_\_\_\_\_  
COMMISSIONER #4

SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned, Environmental Timber Co., hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 4, 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. 4, 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) Mimosa Road

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 logs from its lands located in Precinct No. 4, 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.

5.

First Party agrees to post surety bond in the amount of \_\_\_\_\_ to Upshur County Commissioners Court to insure performance of agreement.

6.

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 the 25 day of March A.D. 19 85.

Collette Finney  
FIRST PARTY Environmental Timber Co.  
P.O. Box 26  
Gilmer, Texas 75644

Ernest Dean  
COUNTY JUDGE

Madelin Lindsey  
COMMISSIONER #1

J.W. McArthur  
COMMISSIONER #2

David Boyd  
COMMISSIONER #3

South  
COMMISSIONER #4

SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned, Quest Microwave Co., 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) Apple Tree Road

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 microwave tower 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.

5.

First Party agrees to post surety bond in the amount of \_\_\_\_\_ to Upshur County Commissioners Court to insure performance of agreement.

6.

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 the 25 day of March,  
A.D. 19 85.

FIRST PARTY

[Signature]  
COUNTY JUDGE  
[Signature]  
COMMISSIONER #1  
[Signature]  
COMMISSIONER #2  
[Signature]  
COMMISSIONER #3  
[Signature]  
COMMISSIONER #4

VOL. 25 PG. 548

PERMIT APPLICATION FOR

~~USE OF HIGHWAY COUNTY BOARD OF MAY~~

Special Road Use Agreement

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

PRECINCT 3

DATE March 13, 1985

Formal notice is hereby given that Quest Microwave Co  
whose principal address is c/o Graves & Graves Const. P.O. Box 369,  
does propose to place a Parsons, Tennessee 38363 Road Use  
within the ROW of County Road Apple Tree 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\_\_\_\_.

NAME James Ross

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_

TO: UPSHUR COUNTY COMMISSIONERS COURT  
UPSHUR COUNTY  
GILMER, TEXAS 75644

SUBJECT: ANY CONTRACT BETWEEN UPSHUR COUNTY ROAD & BRIDGE DEPARTMENTS AND ANY POLITICAL SUBDIVISION DESIRING TO CONTRACT WITH UPSHUR COUNTY TO MUTUALLY ACCOMPLISH A PROJECT TO IMPROVE THE EFFICIENCY AND EFFECTIVENESS OF THE LOCAL POLITICAL ENTITIES INVOLVED.

AUTHORITY: ARTICLE 3 SECTION 64b OF THE TEXAS CONSTITUTION  
ARTICLE 4411-32c TCS OR THE INTERLOCAL COOPERATION ACT

PROJECT OR OBJECTIVES TO BE ACCOMPLISHED:

To assist in the erection of an 18-Station Parcourse  
(SPECIFIC JOB, JOBS OR ACTS)  
Fitness Trail at the Gladewater ISD

PROPOSED TIME: As equipment and manpower become available  
(START)  
As soon as possible  
(FINISH)

POLITICAL SUBDIVISION DOES PROPOSE:

Gladewater Independent School District will furnish  
sand and gravel to Upshur County in payment for  
equipment and labor.

UPSHUR COUNTY DOES PROPOSE:

To provide equipment and labor to assist in the  
erection of an 18-Station Parcourse Fitness Trail  
at the Gladewater ISD.

This agreement made between the County of Upshur, Texas by and through the Commissioners Court of Upshur County, hereinafter called Upshur County and the Gladewater Independent School District by and through its Board of Trustees hereinafter called Gladewater Independent School District, subject to approval of both governmental bodies within the provisions of the Open Meeting Act.

It is understood by both contracting parties that each party will pay for these services or charges with funds currently available to each party.

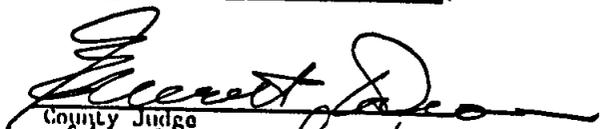
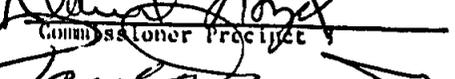
It is understood by both contracting parties that any civil liability or any other liability relating to the furnishing of these services is the responsibility of the party receiving the services.

It is understood that Upshur County Road and Bridge Departments can only accomplish the execution of this contract as the availability of county labor and equipment warrants. The County Commissioner acting as Road Commissioner or the designated foreman of the precinct Road and Bridge Department will have the sole responsibility as to what time is designated or allocated for execution of this contract.

It is further understood by all contracting parties this contract or agreement can only be final after examination by the attorney or legal advisors of both parties and the signature of the County or District Attorney is hereby affixed.

It is further agreed and understood between the parties herein that this Interlocal Governmental Agreement shall be for a period of one year from date of execution.

Witness our hands in triplicate, either of which may be used as an original, this the 25 day of March, 1985.

  
County Judge  
  
Commissioner Precinct 1  
  
Commissioner Precinct 2  
  
Commissioner Precinct 3  
  
Commissioner Precinct 4

PARTICIPATING ENTITY

Jack Easop, President  
Board of Trustees  
Gladewater Independent  
School District

I have examined this contract and find it in compliance  
with Article 661 to 662e TCS of the Internal Cooperation Act.

*Lawrence C. Eddy*  
District Attorney

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General Telephone Company  
of the Southwest  
4200 Stone Road  
Kilgore, Texas 75662

March 14, 1985

The Honorable Commissioners Court  
County of Upshur  
Gilmer, Texas 75644

ROW 2 - Upshur County - Gladewater, Texas - 6E0045 - NO-JMF:pcp

Formal notice is hereby given that General Telephone Company of the Southwest proposes to place a buried telephone cable along the right-of-way of an upshur County Road.

Attached are three copies of Form ED-135, "Notice of Proposed Installation Buried Cable", with sketches showing in detail a more exact location of this proposed construction. The new cable to be placed within 5 feet of the right-of-way at all locations possible, and at a minimum depth of 30 inches.

General Telephone Company of the Southwest agrees to assume liability for any damage to the roadway and/or right-of-way which may be caused from this construction.

In the event subsequent construction in connection with the repair, widening or improvement of the present roadway may require the lowering, revamping or relocating of the cable, General Telephone of the Southwest will bear all the expense of such lowering, revamping or relocating of the facilities.

If additional information is required, please notify:

Jim Floyd, Division OSP Engineer  
General Telephone Company of the Southwest  
4200 Stone Road  
Kilgore, Texas 75662  
Telephone No. 214-984-1811

*Jim Floyd*  
JIM FLOYD  
Division OSP Engineer

Att (3)

A large, stylized handwritten signature in dark ink, appearing to read "Jim Floyd".

NOTICE OF COMMUNICATION LINE INSTALLATION

DATE March 14, 1985

TO THE COMMISSIONER'S COURT OF Upshur COUNTY  
Gilmer, Texas 75644

ATTENTION COUNTY JUDGE:

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

On White Oak Road West off FM 2685 3/4 mile (outside Gladewater City Limits West).

The location and description of this line and associated appurtenances is more fully shown by 3 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 March 15 19 85.

General Telephone Company of the Southwest

GLADEWATER W.O.#6E0045

BY Jam Floyd

Division OSP Engineer

ADDRESS 4200 Stone Road

Kilgore, Tx 75662

*Approved*  
*3-25-85*

ISSUED 8-21-80  
EFFECTIVE OCT 1 1980  
DOCKET 10  
11  
698  
3094



GENERAL  
TELEPHONE  
COMPANY  
OF THE  
SOUTHWEST

TEXAS GENERAL EXCHANGE TARIFF  
MAP SUPPLEMENT SECTION 6

Gladewater, Texas  
Exchange Area Boundary

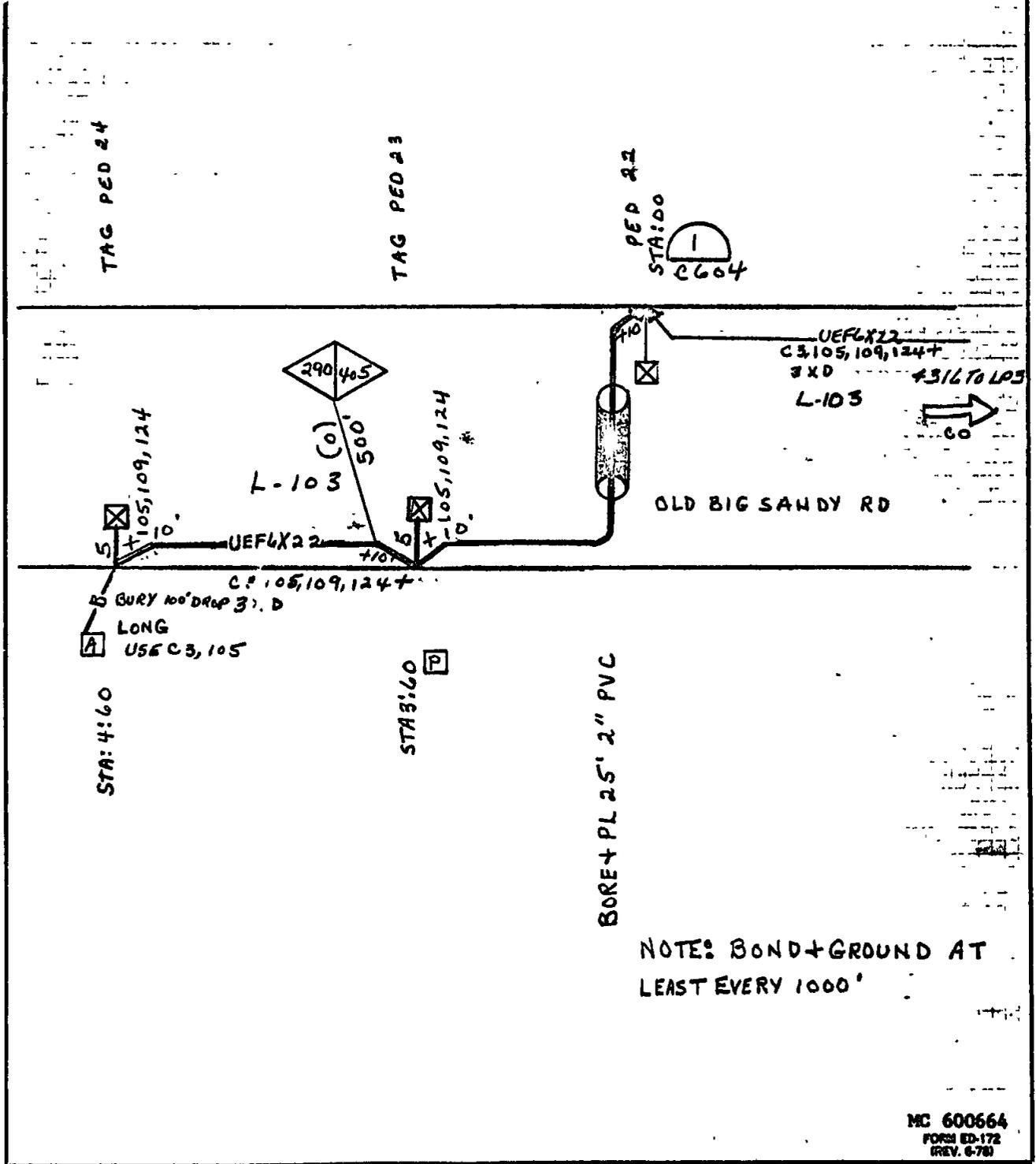
Third Revised SHEET NO. 94C  
Cancelling Second Revision SHEET NO. 94C

ALL BOUNDARIES ARE 600 FEET FROM  
ROADS UNLESS OTHERWISE NOTED

F.E. NIGHTOWER  
VICE PRESIDENT-REVENUE REQUIREMENTS

WORK LOCATION-W.O. E6E0195

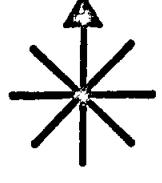




NOTE: BOND + GROUND AT LEAST EVERY 1000'

MC 600664  
FORM ED-172  
(REV. 6-78)

AREA	EASTERN	
TAX DIST.	28509	
ENGINEER BY	JMD	DATE 3-12-85
DRAWN BY	JMD	DATE 3-12-85
APPROVED BY		DATE
REVISOR BY		DATE



SCALE

GENERAL TELEPHONE COMPANY OF THE SOUTHWEST	
LOCATION	GLADEWATER - 5230
DESCRIPTION	B17 CA PRIM
	LONG
SHEET	1 OF 1
W. O. NO.	E6E0195

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

TO: THE UPSHUR COUNTY COMMISSIONERS COURT  
COUNTY OF UPSHUR #2  
GILMER, TEXAS

March 20, 1985

Formal notice is hereby given that Bi-County Water Supply Corp.  
whose principal address is P. O. Box 86, Pittsburg, Texas 75686  
does propose to place a 1 inch water line  
within the ROW of County Road Aster Road  
as follows:

We propose to ditch across Aster Road about 2500 ft.  
south of where this road intersects with Texas Farm Road 593  
for Acie Watkins who has bought some property across the  
road from Lonnie Loyd. We further propose to place or  
install a 2 inch road incasement pipe and then install  
a 1 inch water line within the incasement pipe.

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  
27th day of March, 19 85.

Bi-County Water Supply Corp.

NAME

Freeman Phillips  
Freeman Phillips

TITLE

Manager

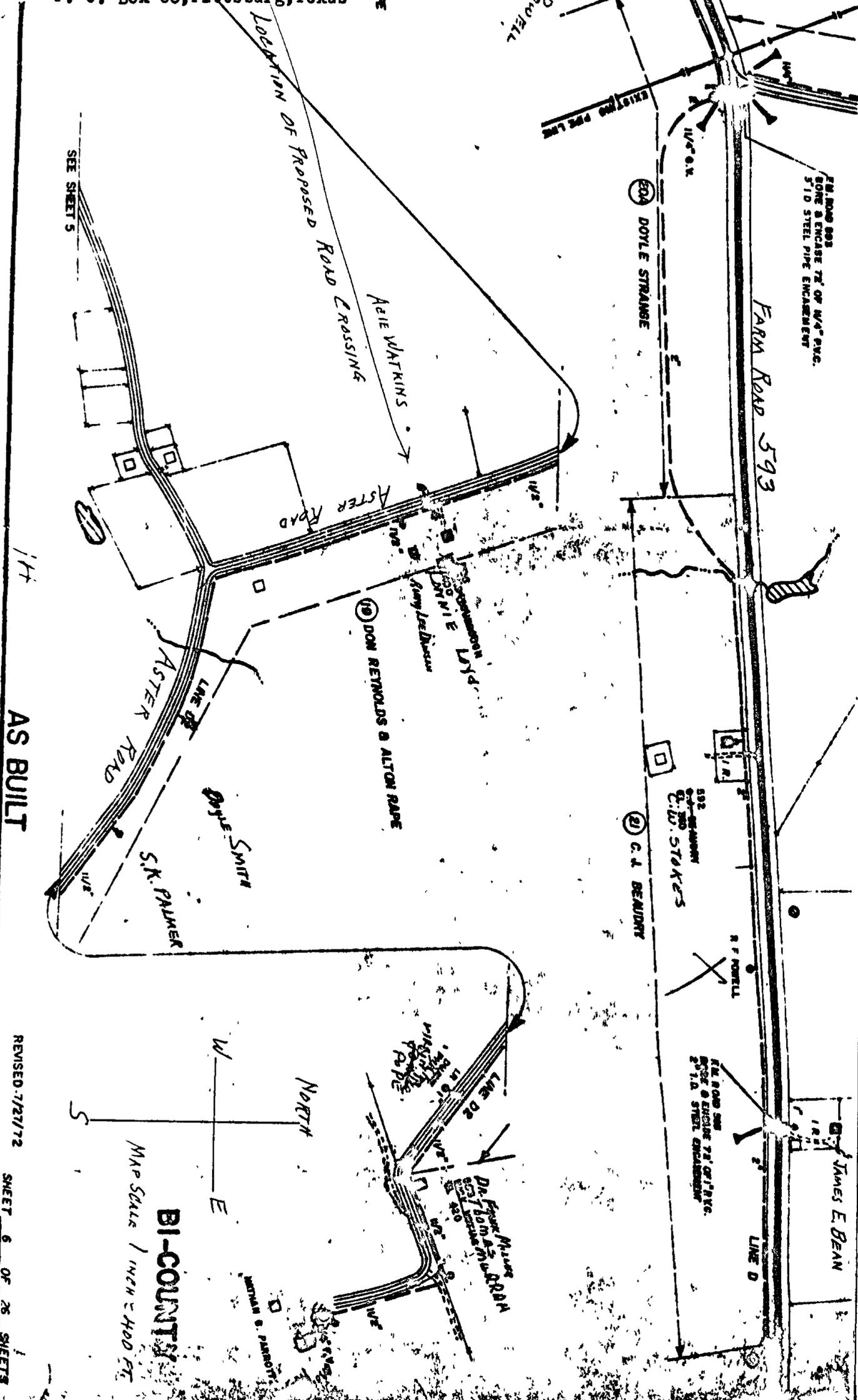
ADDRESS P. O. Box 86, Pittsburg, Texas 75686

for Acie Watkins

*Approved*  
*3-25-85*

Bi-County Water Supply Corp.  
P. O. Box 86, Pittsburg, Texas

VOL 15 PG. 559



REVISED: 7/27/72

SHEET 6 OF 25 SHEETS

BI-COUNTY

MAP SCALE 1" = 400 FT.

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

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

#1

Formal notice is hereby given that Bi-County Water Supply Corp.  
whose principal address is P. O. Box 86, Pittsburg, Texas 75686  
does propose to place a 1 1/4 inch water line  
within the ROW of County Road Bob White

as follows:

We propose to ditch across Bob White road for Randy Harrison who has bought some property from Charles Elms and which joins the Verna W. Powers property at the location shown on map or drawing. We further propose to ditch this as per specifications and install 30 feet of 2 inch incasement pipe and then insert a 1 1/4 inch water pipe line within the incasement pipe.

The location and description of the proposed lines or appertenances is more fully shown by three <sup>1</sup>(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  
26th day of March, 19 85.

Bi-County Water Supply Corps

NAME

Freeman Phillips  
Freeman Phillips

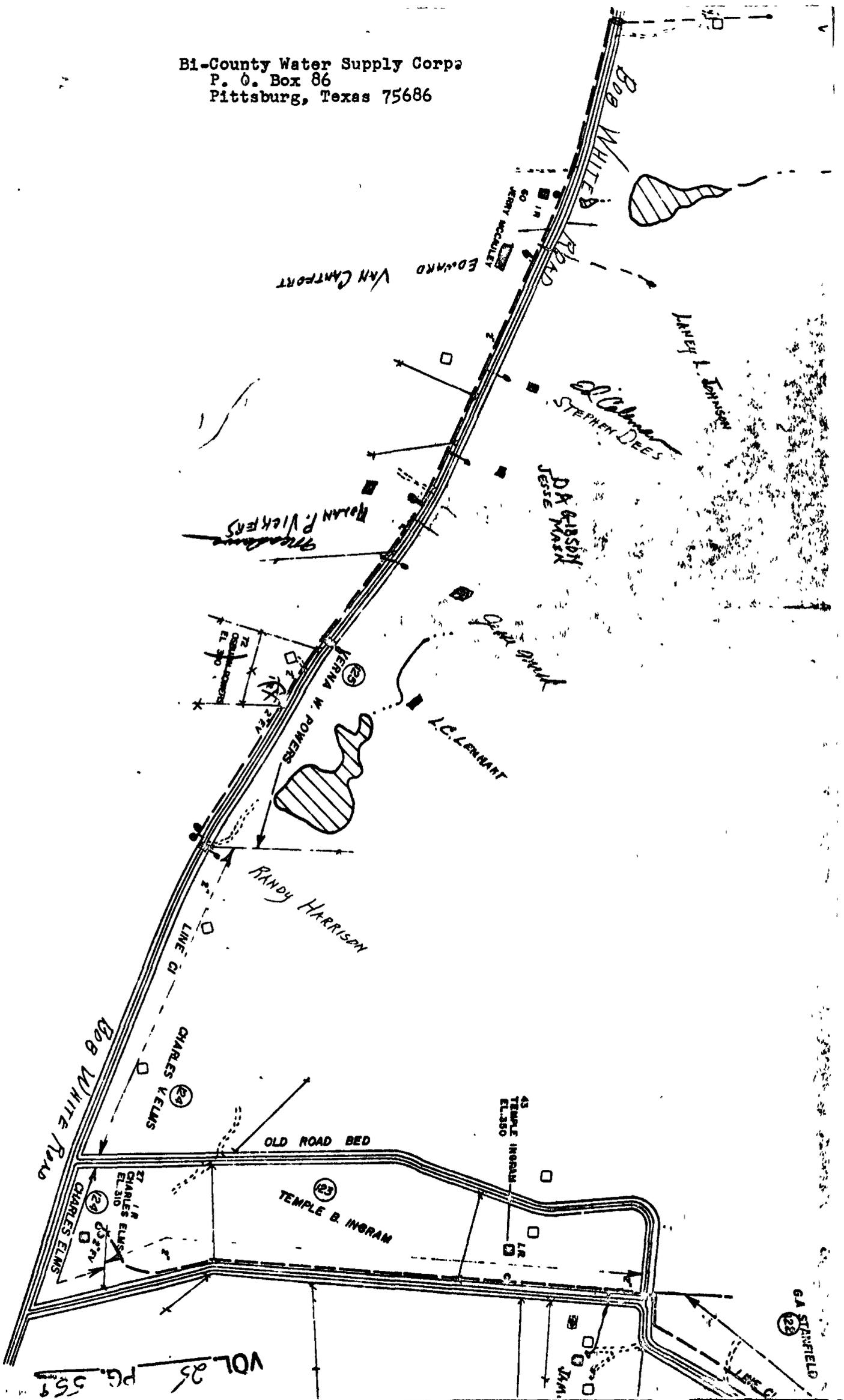
TITLE

Manager

ADDRESS P. O. Box 86, Pittsburg, Texas 75686  
for/Randy Harrison

  
3-25-85

Bi-County Water Supply Corps  
P. O. Box 86  
Pittsburg, Texas 75686



VOL. 25 PG. 559

VOL 25 PG. 560

Continental Telephone of Texas  
PO Box 477  
Emory, TX 75440  
214 473 3141

**CONTEL**

February 5, 1985

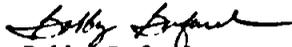
Upshur County Commissioner's Court  
P. O. Box 730  
Gilmer, TX 75644

Dear Sirs:

In the near future Continental Telephone plans to place several miles of cable in Upshur County. I have ridden this job with Mr. Lloyd and discussed it with him. Attached is a map showing where the cable is to be placed. Our construction start date is scheduled for 04-26-85. Mr. Lloyd will be contacted 48 hours prior to construction start.

If you have any questions please contact me at the number given above.

Sincerely,

  
Bobby Buford  
O.S.P. Engineer

BB/ph

Attachments

cc: E5225/BGSN



PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY R.O.W.

DATE: February 4, 1985

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

Formal notice is hereby given that Continental Telephone of Texas  
whose principal address is P. O. Box 477, Emory, TX 75440  
does propose to place a buried communications  
within the R.O.W. of County road shown on map  
as follows:

*Stegall + Red Maple Rds*

AS SHOWN ON ATTACHED PRINTS

The location and description of the proposed lines or appur-  
tenances 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  
26th day of April 19 85.

Ref: E5225/BGSN

FIRM: Continental Telephone of Texas

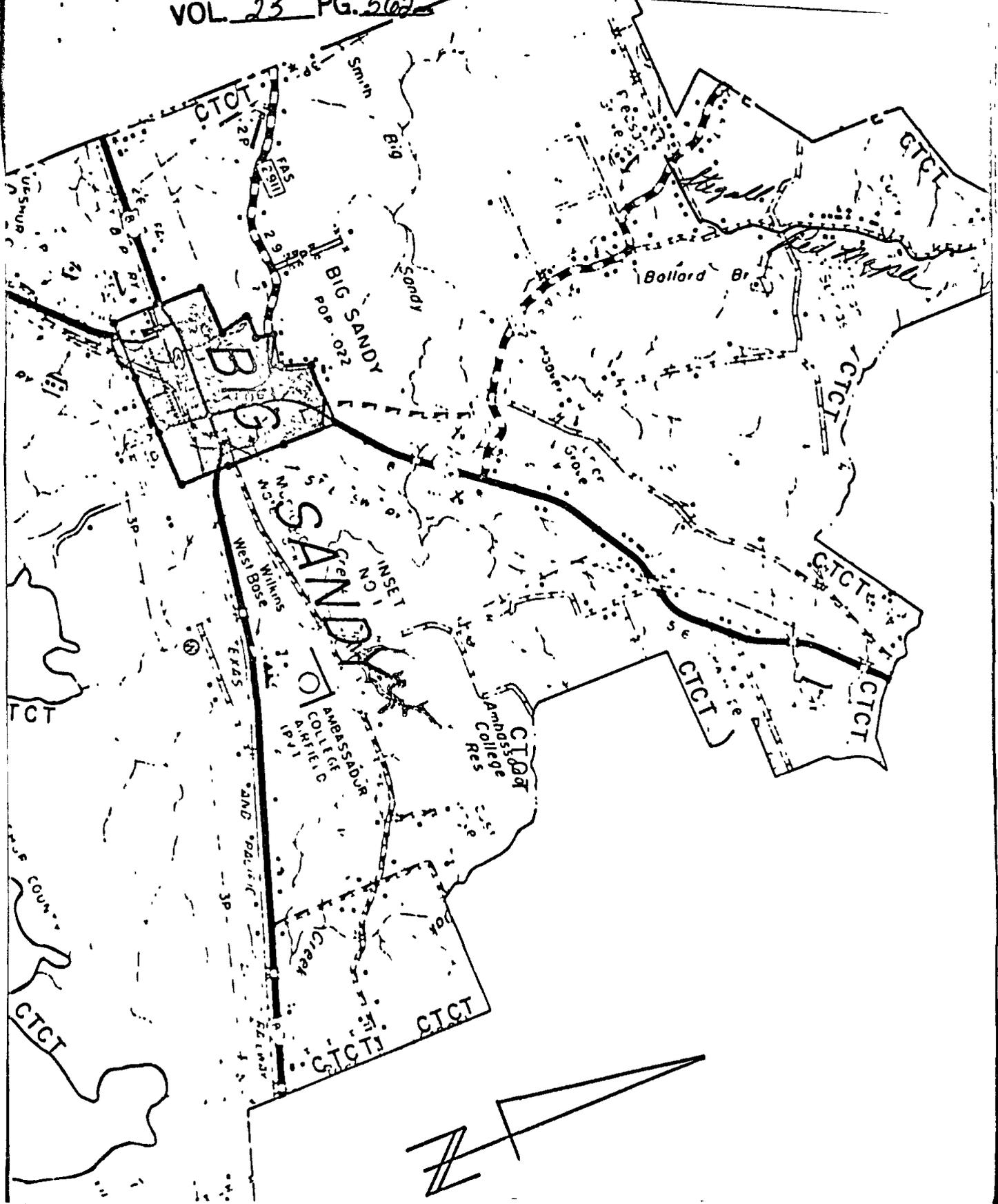
TITLE: *Bobby L. Jones*  
O.S.P. Engineer

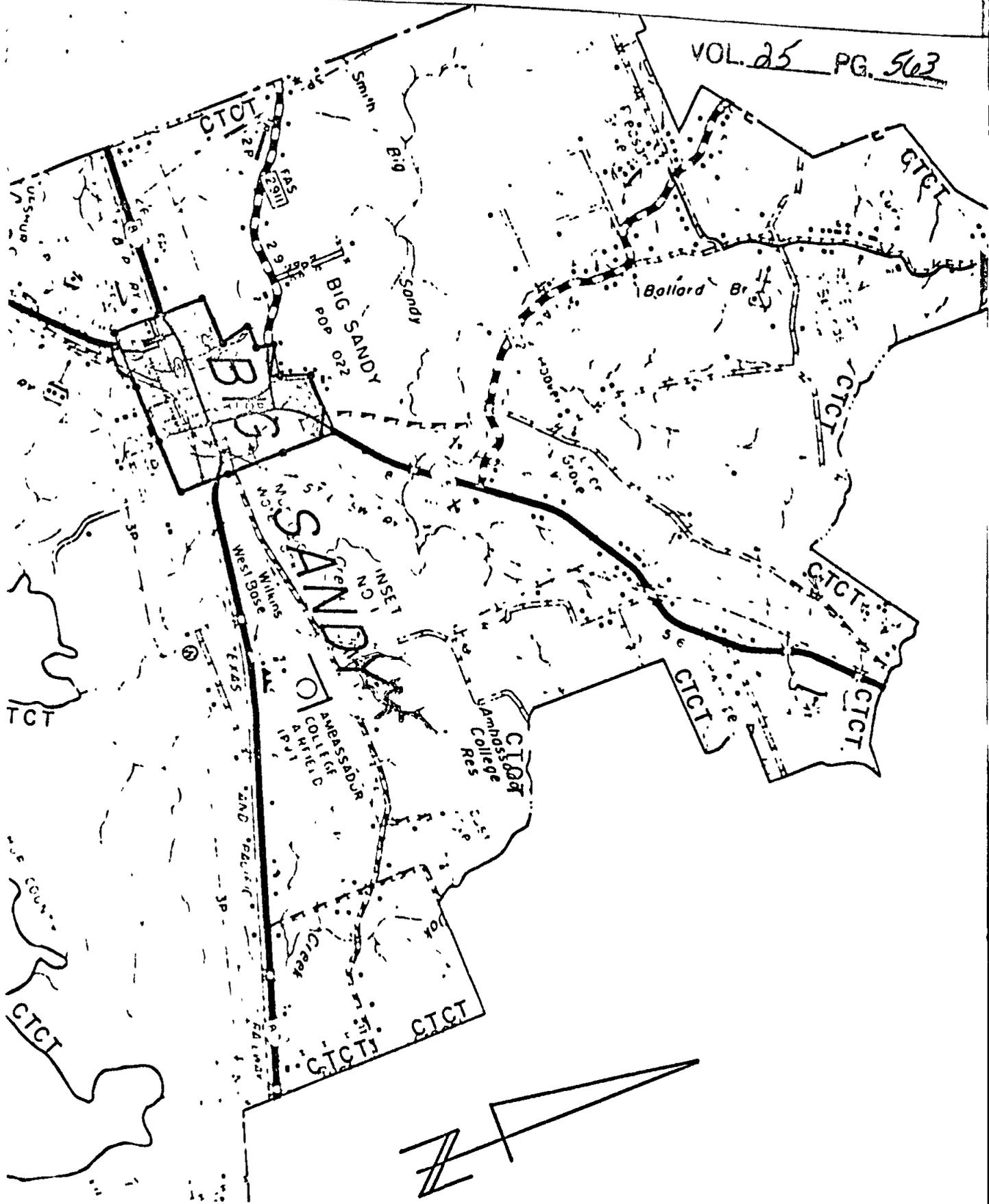
ADDRESS: P. O. Box 477

Emory, TX 75440

*Approved  
3-23-85*

NOTE: This form to be submitted in duplicate for each proposed  
installation.





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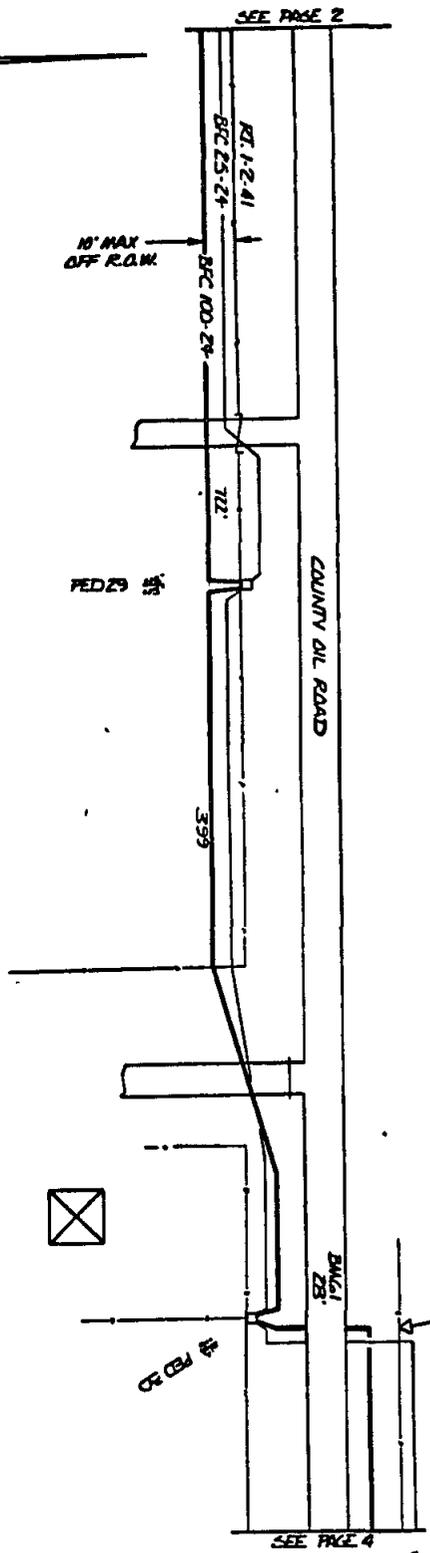
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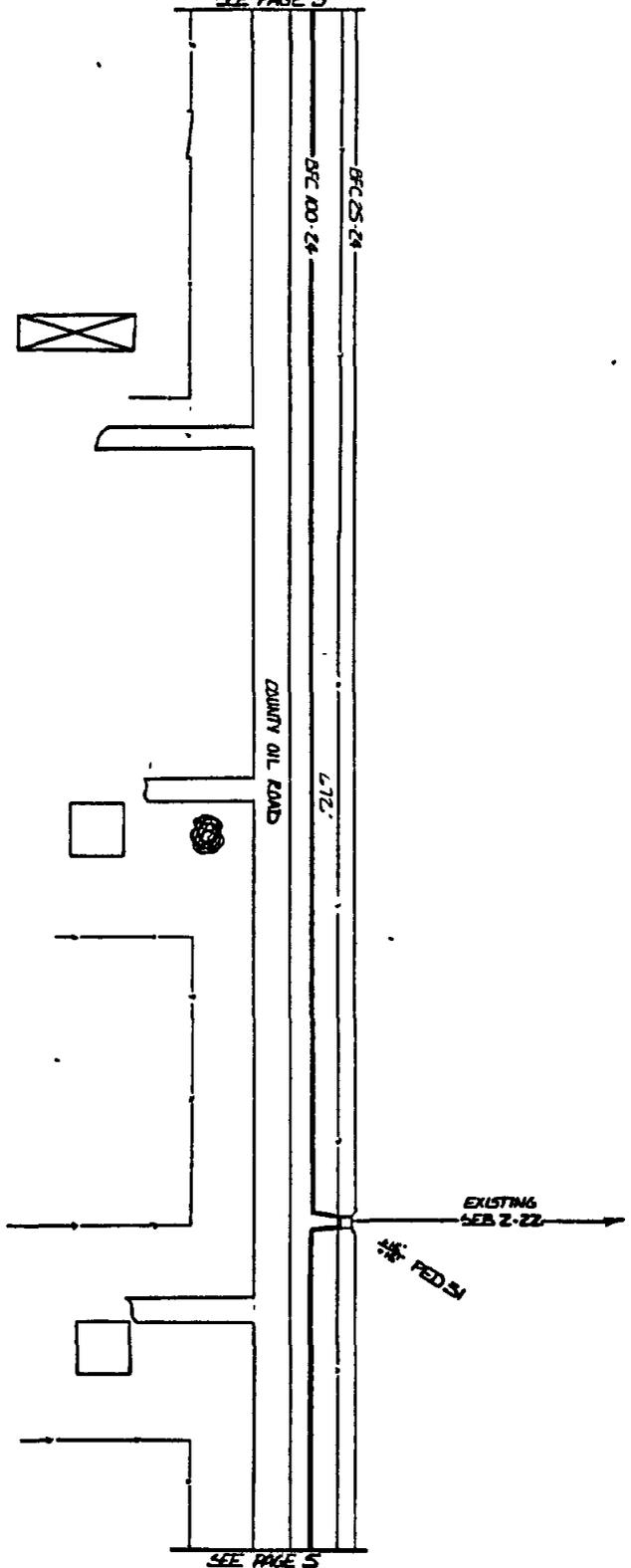


LINE NO.	TYPE	DATE	BY	REVISIONS	REMARKS	NOTES
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4	EXIST	1-2-41	1	1		
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95	EXIST	1-2-41	1	1		
96	EXIST	1-2-41	1	1		
97	EXIST	1-2-41	1	1		
98	EXIST	1-2-41	1	1		
99	EXIST	1-2-41	1	1		
100	EXIST	1-2-41	1	1		

**CONTINENTAL TELEPHONE COMPANY OF TEXAS**  
 4400 WEST LOOP SOUTH  
 HOUSTON, TEXAS 77027  
**ELAM SPRINGS CABLE RELIEF**  
 ENGINEER: RIG. MAUDY 6282  
 CHECKED: JFS/HUR  
 SPECIAL ENGINEER: LAO/DODD  
 DATE: 1-2-41  
 DRAWN: 1-2-41  
 JOB NO. E5225-01  
 SHEET 3 OF 3

VOL. 25 PG. 3416

SEE PAGE 3



REQ NO.	REQ DATE	REQ QTY	REQ UNIT	REQ PRICE	REQ TOTAL	REQ UNIT PRICE	REQ TOTAL PRICE												
31	EXIST	1	25																
		1	25																
Total																			

RESPONSE

NOTES

CONTINENTAL TELEPHONE COMPANY OF TEXAS

ELAM SPRINGS CABLE RELIEF

ENGINEER

DESIGNED BY: BIG SAUNDY 6082

CHECKED BY: UPSSHUR

APPROVED BY: LAOIOOOO

DATE: 1-16-85

ENG. BUREAU

DATE: 1-2-81

JOB NO. E.522501

MAP REF: 26-15-1514

SCALE: 4"

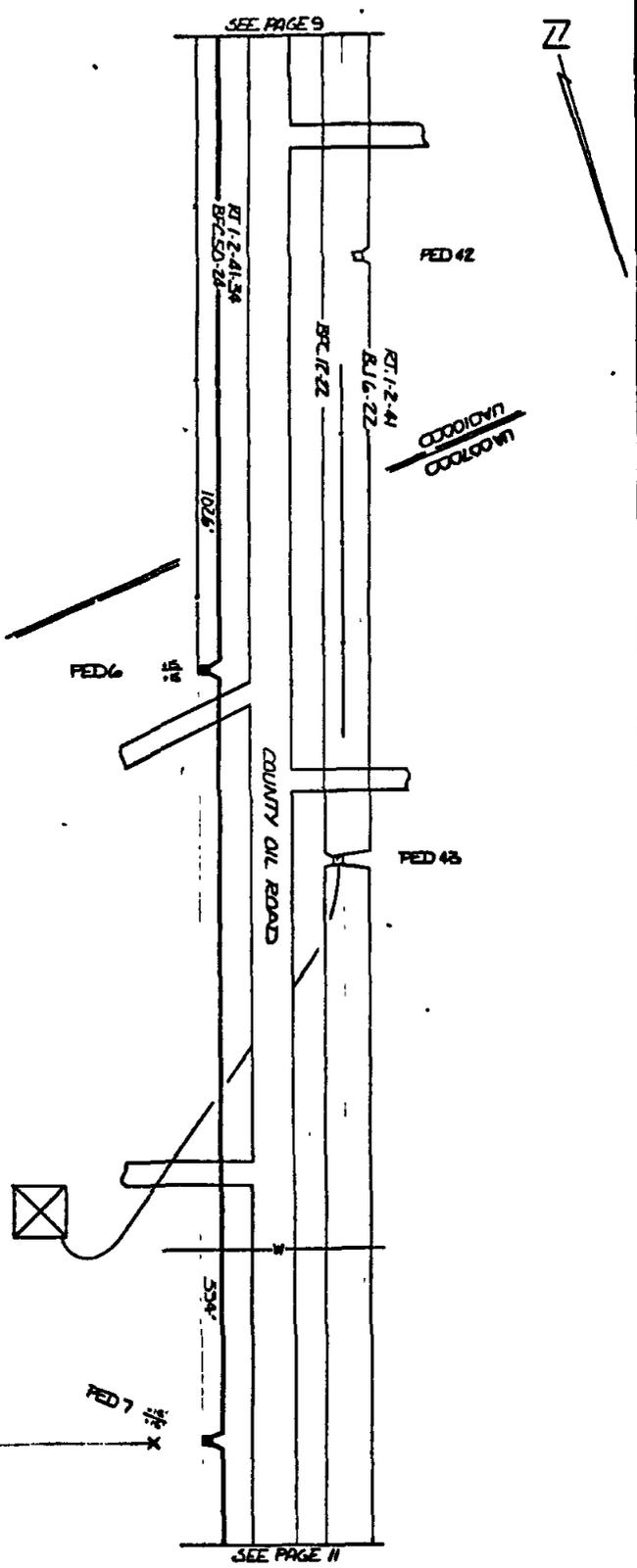










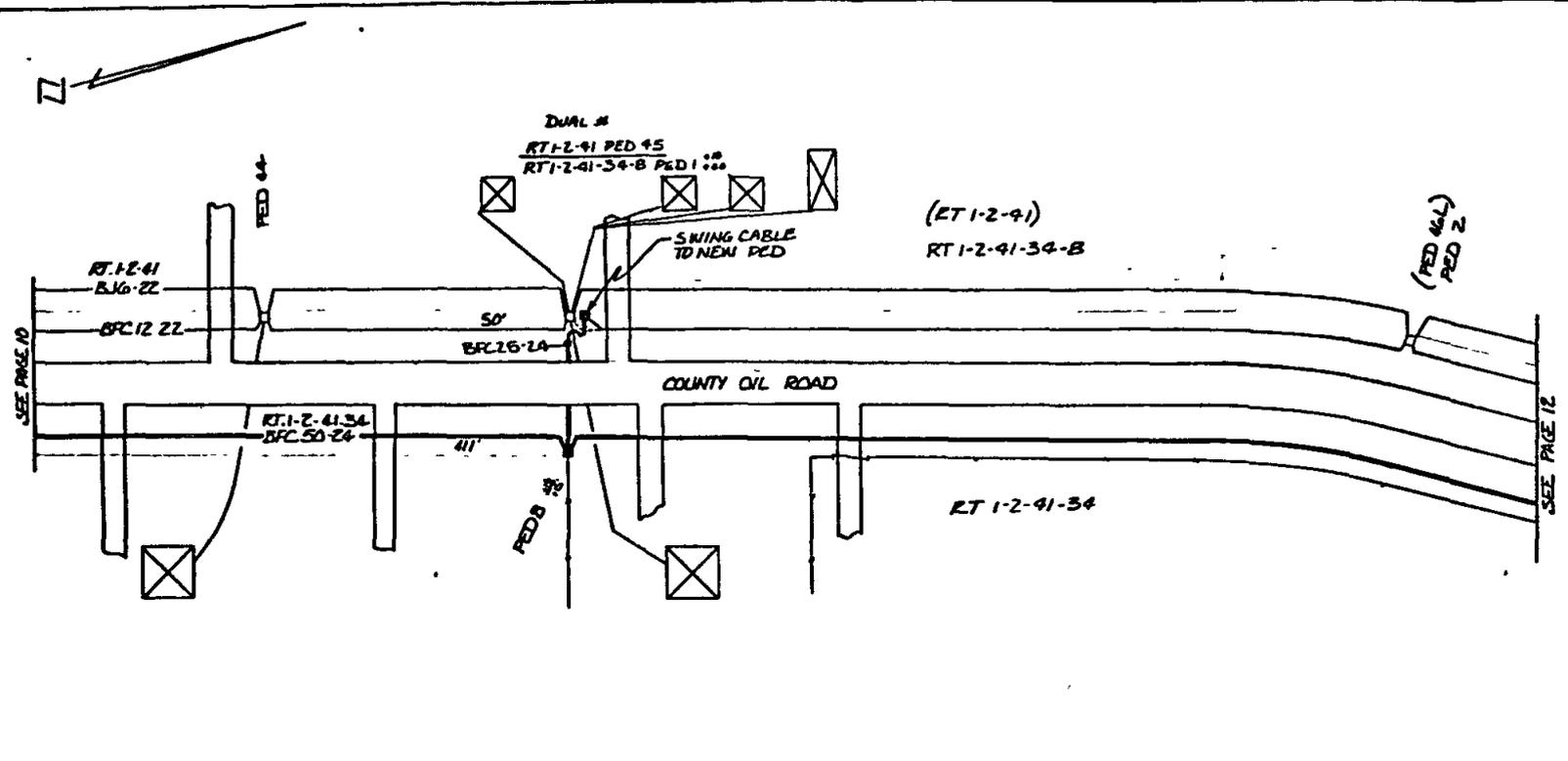


FILE NO.	SA	BM	BM	BM	BM	BFC NO.	MC
7	1					424	
6	1					1056	
Total	2					1480	

**ELAM SPRINGS CABLE RELIEF**  
 CONTINENTAL TELEPHONE COMPANY OF TEXAS  
 \*\*\* ORIGINAL \*\*\*  
 RECEIVED: BIG SANDY 6282Z  
 COUNTY: QUERQUE  
 SPECIAL: BURNET, UA 000000  
 MAP NO: 26-13-217

DATE: 1/6/55  
 BY: ESK  
 JOB NO.: ES225-01  
 CHECKED: 1-2-41-34  
 SCALE: 10'

PL-10 (Revised March 1, 1983)



VOL. 25 PG. 224

PED NO.	BS	BD	BA	W/BM	BM	BFC 25-24	BFC 50-24	W/BFC	HC3 1-3	HC 1	W/HC1						
MAINT				2													
1-2-41-34-B PED 1		1		20		70'		1		13	36						
B	1						44'		1	10							
Total	1	1		20	2	70	44'	1	1	23	36						

REVISIONS	NOTES	
 CONTINENTAL TELEPHONE COMPANY OF TEXAS		
<b>ELAM SPRINGS CABLE RELIEF</b>		
EXCHANGE: BIG SANDY 62BZ	DATE: 1-16-85	JOB NO. <b>E5225-01</b>
COUNTY: LIPSICUR	DATE: 1-18-85	
EXCH. DISTRICT: UA007000	ENG: BURFORD	
MAP REF: 26-13-615	ROUTE: 1-2-41-34	PAGE NO. 11
	SHEET: 11 of 17	













GERALD L. WIHN, CTA/RPA  
PRESIDENT  
BRYAN

BESSIE LASSMANN  
PRESIDENT ELECT  
VICTORIA

THE TAX ASSESSOR-COLLECTORS ASSOCIATION  
OF TEXAS

P.O. BOX 26990 PHONE 512-451-9731  
AUSTIN, TEXAS 78755

RAY CORNETT, CTA/RPA  
VICE-PRESIDENT  
ANGLETON

FRED RICHMOND, JR.  
SECRETARY-TREASURER  
AUSTIN

March 8, 1985

PAST PRESIDENT  
EVELYN MONZINGO  
DEL RIO

DIRECTORS  
BILL ALESHIRE  
AUSTIN

BURAN HOUSE, CTA/RPA  
CROSBYTON

ROBERT C. WILLIS, RPA  
LIVINGSTON

LAVERNE ZBANEK, CTA/RPA  
LIBERTY

*An Association  
to secure the  
benefits of organized  
ideas and discussion  
of mutual problems  
that will advance and  
maintain proper  
efficiency and dignity  
of the County Tax  
Office and to hold an  
Annual Conference*

Dear Friends:

The 31st Annual Conference of the Tax Assessor-Collectors Association of Texas will be held at the Hyatt Regency, Austin, Texas, April 17, 18 and 19.

I would like to encourage you to make your plans now to attend this conference. Enclosed you will find a complete Social Program as well as a summary of the daily program, a few items have not been confirmed resulting in our inability to have it ready for this mailing.

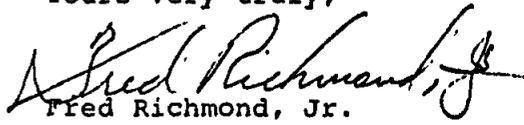
May I not only encourage you, but urge you, to pre-register. The spouse tours are dependent upon a minimum number and guarantees must be made in advance. This is a tremendous opportunity for your spouse to see and learn more about Austin, Texas and as noted on the pre-registration form the tickets may be bought separately or there is a \$10.00 savings if all three are purchased.

The Hyatt Regency will be able to accommodate all in attendance if reservations are made by Wednesday, March 27th. Following that date all rooms will be reserved subject to availability.

We hope that you will plan to attend this conference, as we feel that there will be a great deal of information of special importance to you and it is very important to the Association that you come and be a part of these meetings. Incidentally, you will earn a number of "Continuing Education Units" by participating in this conference.

Mr. Bill Aleshire, our host Assessor-Collector, and his local arrangements committee are doing everything possible to make your visit to Austin interesting and profitable and we hope that you will join us in making this conference a success.

Yours very truly,

  
Fred Richmond, Jr.  
Secretary-Treasurer

enclosures

PRE-REGISTRATION FORM

MAIL TO: Fred Richmond, Jr., P.O. Box 26990, Austin, Texas 78755

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

COUNTY OR FIRM: \_\_\_\_\_

ADDRESS: (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

GUEST'S NAME: \_\_\_\_\_

DUES MUST BE PAID PRIOR TO REGISTERING:

DUES PAID	YES	NO		
Regular Member	<u>X</u>	_____	(\$40.00)	_____
Associate (Deputies)	_____	_____	(\$10.00)	_____
Affiliates	_____	_____	(\$40.00)	_____
Life Members	_____	_____	(\$ 5.00)	_____

REGISTRATION FEE: No. \_\_\_\_\_ @ \$85.00/person *Michael A. Smith*  
*M.H. 3-13-85*

OPTIONAL SPOUSE EVENTS

Austin Tour  
11:00 a.m. Wednesday, No. \_\_\_\_\_ @ \$20.00/person \_\_\_\_\_  
(includes lunch)

University of Texas Tour  
12:00 noon Thursday No. \_\_\_\_\_ @ \$25.00/person \_\_\_\_\_  
(includes lunch)

Scenic Driving Tour &  
Shopping Spree  
11:00 a.m. Friday No. \_\_\_\_\_ @ \$15.00/person \_\_\_\_\_

Entire Spouse Package  
(All three of the  
above) No. \_\_\_\_\_ @ \$50.00/person \_\_\_\_\_

TOTAL ENCLOSED \$ \_\_\_\_\_

Make checks payable to: Tax Assessor-Collectors Association

Mail checks to: P.O. Box 26990  
Austin, Texas 78755

*I need to attend please  
send ck. to Me. I'll Mail*

*Approved*

AUDITOR'S OFFICE  
RECEIVED

MAR 13 1985  
Referred to Comm. Court.  
3-14-85

Upshur Ambulance Service VOL. 25 PG. 583

P. O. Bnx 272  
Gilmer, Texas 75644

Dear Upshur County Residnet,

We are pleased to be serving Upshur County as Upshur County Ambulance Service (formerly Loyd Ambulance.) As you know, our service is through membership subscriptions. We are asking for your support. We are a privately owned business.

Family memberships are still \$45.00. This includes husband, wife, and all children under 21 still living at home. Individual memberships are \$35.00. Your membership covers the pick-up fee at no charge to you, for all emergency transfers. Non-emergency transfers are \$15.00 plus mileage. Non-members pay \$85.00 for a pick-up. There is a \$1.50 per mile mileage charge for members. Non-members pay \$3.00 per mile. We have had to charge this due to inflation, which has raised our costs, as it has everyones. There has always been a charge for any additional services. We appreciate your understanding in this matter.

We invite you to call or come by our office at 200 W. Harrison. We have a special deal for persons on Medicare. We would be glad to explain this to you.

We do transports to any point in Texas and surrounding states. Again we have a special rate for members.

Get Involved!! Support you local E. M. S., a "System to Save a Life". We need your help. By joining Upshur Ambulance you are helping to provide professional Emergency Medical Service (E.M.S.) when it is needed. Don't delay. The life we save could be someone you love.

Please fill out the application below and return to us. If you have any questions please call. We look forward to serving you.

Upshur Ambulance Service  
P. O. Box 272  
Gilmer, Texas 75644

24 Hour Service  
Call 843-5641

Name: Upshur County Phone #: 843-3083 Birthdate \_\_\_\_\_

Address: P.O. Box 730 City Gilmer Zip 75644

Dependent Name & Ages Courthouse, County Jail, Commissioner Precinct 1, Commissioner Precinct 2, Commissioner Precinct 3, and Commissioner Precinct 4.  
Medicare Number \_\_\_\_\_ Medicaid Number \_\_\_\_\_

Family: \$45.00 \_\_\_\_\_

Individual: \_\_\_\_\_ \$35.00

If additional space is need for listing dependent's please use back of this letter. Thank You.

VOL 25 PG 584

TO: PAYROLL DEPARTMENT

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

EFFECT March 1, 1985  
(DATE & TIME)

EMPLOYEE Harry Crockett

SOCIAL SECURITY NO \_\_\_\_\_ CLOCK NO \_\_\_\_\_

THE CHANGE(S)

✓CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input checked="" type="checkbox"/> RATE	<u>1,336.35</u>	<u>1,336.35</u>
<input type="checkbox"/>	<u>16,036.20</u>	<u>16,036.20</u>
<input type="checkbox"/>	<u>14.8</u>	<u>13.10</u>

REASON FOR THE CHANGE(S)

- HIRED
- RE HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

LEAVE OF ABSENCE FROM \_\_\_\_\_ (DATE) UNTIL \_\_\_\_\_ (DATE)

OTHER (EXPLAIN) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHANGE AUTHORIZED BY J W Madson DATE \_\_\_\_\_

CHANGE APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

TO: PAYROLL DEPARTMENT

VOL. 25 PG. 585

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

EFFECT March 1, 1985  
(DATE & TIME)

EMPLOYEE Abbott Pendarvis

SOCIAL SECURITY NO. \_\_\_\_\_ CLOCK NO. \_\_\_\_\_

THE CHANGE(S)

<input checked="" type="checkbox"/> CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input checked="" type="checkbox"/> RATE	1072.59 12,871.08	1,126.22 13,514.64
<input type="checkbox"/>	13,1	14,1

REASON FOR THE CHANGE(S)

- HIRED
- RE HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE-EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

LEAVE OF ABSENCE FROM \_\_\_\_\_ (DATE) UNTIL \_\_\_\_\_ (DATE)

OTHER (EXPLAIN) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHANGE AUTHORIZED BY J. W. Meadows

CHANGE APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

VOL. 25 PG. 586

TO: PAYROLL DEPARTMENT

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

EFFECT March 1, 1985  
(DATE & TIME)

EMPLOYEE Kenneth Mayfield

SOCIAL SECURITY NO. \_\_\_\_\_ CLOCK NO. \_\_\_\_\_

THE CHANGE(S)

<input checked="" type="checkbox"/> CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input checked="" type="checkbox"/> RATE	1368.93/Mo	1,403.17/Mo.
<input type="checkbox"/>	16,427.16/ANNUAL	16,838.04/ANNUAL
<input type="checkbox"/>	17,3	17,4

REASON FOR THE CHANGE(S)

- HIRED
- RE HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

LEAVE OF ABSENCE FROM \_\_\_\_\_ (DATE) UNTIL \_\_\_\_\_ (DATE)

OTHER (EXPLAIN) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHANGE AUTHORIZED BY [Signature] DATE 3-25-85

CHANGE APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

## LONGEVITY RAISES EFFECTIVE 3-31-85 PAYROLL

	NAME	ANNIVERSARY DATE	2-28-85 SALARY & LONGEVITY	ADDITIONAL LONGEVITY	CURRENT SALARY & LONGEVITY
1.	ROSALIE WILLIAMS	2- 7-83	14,593.20	48.00	14,641.20
2.	LARRY N. HENSON	2-15-81	20,111.40	48.00	20,159.40
3.	LAVADA M. DAVIS	2-11-76	12,642.12	48.00	12,690.12
4.	BRENDA L. DAVIDSON	2-15-83	10,385.04	48.00	10,433.04
5.	MYRA N. HARRIS	2-11-81	13,658.64	48.00	13,706.64

VC 25 586

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 1  
DATE 3-25-85

Formal notice is hereby given that Gerald Scholte  
whose principal address is Blodgett, TX RT 2 box 14  
does propose to place a Culvert  
within the ROW of County Road Red Hen 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\_\_\_\_.

NAME Waddis Sunday

TITLE Corn

ADDRESS Jobs, Tex.

*[Handwritten signature]*  
3-29-85

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 2  
DATE March 28, 1985

Formal notice is hereby given that Tommy Ferguson  
whose principal address is P.O. Box 2, Ore City, Texas 75683  
does propose to place a culvert installation  
within the ROW of County Road Smilax Trail  
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\_\_\_\_.

NAME *Tommy Ferguson*

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_

*[Handwritten signature]*  
*3-29-85*

SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned, Lasco, Inc.  
hereinafter referred to as First Party, enters into and makes  
an agreement with Upshur County Commissioner of Precinct No. 4,  
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. 4, 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) Gopher 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 logs from its lands located  
in Precinct No. 4, 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.

5.

First Party agrees to post surety bond in the amount of \_\_\_\_\_ to Upshur County Commissioners Court to insure performance of agreement.

6.

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 the 29<sup>th</sup> day of Dec.  
A.D. 1985.

B. J. [Signature]  
FIRST PARTY

Lasco, Inc.  
P.O. Box 610  
Gilmer, Texas 75644

[Signature]  
COUNTY JUDGE

[Signature]  
COMMISSIONER #1

[Signature]  
COMMISSIONER #2

[Signature]  
COMMISSIONER #3

[Signature]  
COMMISSIONER #4

SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned, Patterson & Davis Logging Co., hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 1, 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. 1, 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) Bob White Road .5 miles off Highway 154

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.

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 logs from its lands located in Precinct No. 1, 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.

5.

First Party agrees to post surety bond in the amount of \_\_\_\_\_ to Upshur County Commissioners Court to insure performance of agreement.

6.

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 the 29 day of March A.D. 19 85.

B. E. Patterson (Em)  
FIRST PARTY

patterson & Davis Logging Co.  
Rt. 7 Box 24, Gilmer, Texas 75644

Ernest Dean  
COUNTY JUDGE

Yaddo Luskay  
COMMISSIONER #1

Lee Meadows  
COMMISSIONER #2

David Boyd  
COMMISSIONER #3

Lawrence  
COMMISSIONER #4

VOL. 25 PG. 594

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 4  
DATE March 29, 1985

Formal notice is hereby given that Sharon Water Supply Corp.  
whose principal address is P.O. Box 148, Winnsboro, Texas 75494  
does propose to place a water line  
within the ROW of County Road Camel 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\_\_\_\_.

NAME \_\_\_\_\_

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_

*[Handwritten Signature]*  
*3-29-85*



VOL. 85 PG. 595

# FIRST NATIONAL BANK

P O BOX 520 · GILMER, TEXAS 75644 · 214-843-2551

March 25, 1985

Commissioners Court  
The County of Upshur  
Gilmer, Texas 75644

Gentlemen:

Enclosed you will find a list of securities totaling \$2,500,000.00 that have been pledged to secure the accounts of The County of Upshur. Also, there is a copy of the letter written to Lavona Davis at InterFirst Bank Dallas Security Clearance Department asking her to pledge the listed securities.

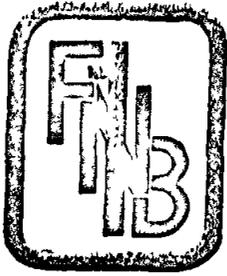
We currently have pledged \$500,000 Federal Home Loan Banks Consolidated Bonds due 2/25/87 at 10.45% and upon receipt from InterFirst Bank Dallas of the safekeeping receipts we will forward same to you for your records.

Yours truly,

Muriel Lenhart  
Adm. Asst. to the Pres.

BONDS PLEDGED TO UPSHUR COUNTY

<u>NAME</u>	<u>AMOUNT</u>	<u>RATE</u>	<u>MATURITY</u>	<u>SAFEKEEPING</u>
Tx. Housing Single Family	200,000.00	8.5	3/01/88	05728753
Nacona Tx. ISD	25,000.00	5.0	3/01/88	380477
Leander ISD	70,000.00	8.70	12/15/89	05710348
Little Cypress-Mauriceville ISD	50,000.00	6.40	2/01/90	428037
North Forest ISD	50,000.00	5.40	4/01/90	396404
Grand Saline ISD	50,000.00	5.50	5/01/90	410718
Klein Tx. ISD	100,000.00	8.20	8/01/90	0519477
Rockdale ISD	50,000.00	5.00	8/15/90	384717
Conroe ISD	50,000.00	5.35	2/01/91	396620
Conroe ISD	50,000.00	5.35	2/01/91	396676
Bloomington ISD	100,000.00	9.50	2/01/91	05651930
Longview ISD	100,000.00	8.50	6/01/91	05609573
Gladewater ISD	50,000.00	8.00	2/01/92	05383773
Round Rock ISD	50,000.00	8.00	8/01/92	5603675
Friendswood GO	50,000.00	11.70	3/01/93	04998910
Round Rock GO	55,000.00	12.00	8/01/93	05074075
Celeste ISD	100,000.00	9.20	2/01/94	555538
Bedford GO	50,000.00	5.30	2/01/94	435010
Houston GO	50,000.00	6.40	2/01/94	418748
SouthLake GO	55,000.00	13.00	2/01/94	05053137
Fort Hancock ISD	65,000.00	8.10	5/15/94	436574
Aubrey ISD	75,000.00	12.50	7/15/94	05145412
Pilot Point ISD	55,000.00	9.20	8/01/94	05579081
Bullard ISD	65,000.00	9.10	8/15/94	5732409
Cameron County GO	105,000.00	10.20	2/01/95	05785472
Georgetown ISD	50,000.00	6.10	2/15/95	413753
Chapel Hill ISD	50,000.00	9.20	2/15/95	5595251
Houston GO	70,000.00	5.450	3/01/95	395617
Levelland GO	60,000.00	7.850	6/01/95	4511325
Tyler ISD	55,000.00	8.50	7/01/95	05571690
Elgin GO	75,000.00	10.00	7/15/95	563647
Winnsboro ISD	100,000.00	9.00	8/01/95	5744529
Harlandale ISD	50,000.00	6.90	2/01/96	425331
Plano ISD	60,000.00	12.10	2/15/96	05054440
Scurry-Rosser ISD	110,000.00	9.25	12/01/96	05563143
Fairfield Com Tax	100,000.00	10.50	3/01/97	5823687



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# FIRST NATIONAL BANK

P. O. BOX 520 • GILMER, TEXAS 75644 • 214-843-2551

March 25, 1985

Mrs. Lavona Davis  
InterFirst Bank of Dallas  
Security Clearance  
P.O. Box 83192  
Dallas, Texas 75283

Dear Mrs. Davis:

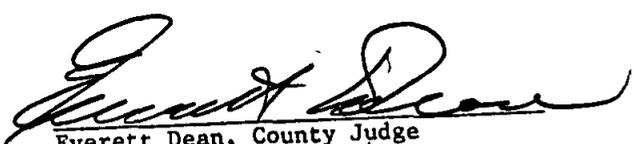
Enclosed you will find a list of securities totaling \$2,500,000.00 that we would like pledged to The County of Upshur.

Yours truly,

Muriel Lenhart  
Adm. Asst. to the Pres.

UPSHUR COUNTY TRUST AND AGENCY

<u>Payee</u>	<u>Accounting Code</u>	<u>Amount</u>
State Treasurer	92-770-7300	3,046.50
Upshur County Operating Account	92-770-7310	<u>338.50</u>
	TOTAL	3,385.00

  
Everett Dean, County Judge

  
Gaddis Lindsey, Commissioner Pct #1

  
J.W. Meadows, Commissioner Pct #2

  
David Loyd, Commissioner Pct #3

  
Paul Davis, Commissioner Pct #4

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

25 MAR 1985

THE SOFTWARE GROUP, INC.

Minutes of Accounts Approved  
Disbursements Made from 03/12/85 thru 03/25/85

PAGE 1

Check #.	Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
9259	03/12/85	POSTMASTER	\$1,000.00	\$1,000.00	POSTAGE
9264	03/15/85	BOBBIE JOHNSON	\$2.94	\$2.94	REIMBURSEMENT FOR MODULAR BASE CORD FOR PHONE SYSTEM
9265	03/15/85	A & E MILL AND WELDING SUPPLY	\$3.10	\$3.10	CYLINDER RENTAL; CUSTOMER NO 173000
9266	03/15/85	CYNTHIA SHATTLES	\$4.15	\$4.15	POSTER BOARD LETTERS
9267	03/15/85	MRS. EDDIE MAZE	\$10.87	\$10.87	TAX REFUND
9268	03/15/85	GILMER SAVINGS & LOAN	\$18.50	\$18.50	TAX REFUND ON ACCT DONALD R. GILLIAM SR.
9269	03/15/85	HOLIDAY INN, MT. PLEASANT, TX.	\$24.00	\$24.00	TAPC WORKSHOP, 4-25, 26-85 MT. PLEASANT, TX. JOANN, BILL, & LINDA ATTENDING
9270	03/15/85	PURGLATOR COURIER CORP.	\$34.00	\$11.50 \$11.50 \$11.00	ACCOUNT NO 02-81-07803 ACCOUNT NO 02-81-07803 FREIGHT ON A/P RELEASE
9271	03/15/85	HAMBERLINS GULF	\$35.00	\$35.00	WRECKER SERVICE ON UNIT #203
9272	03/15/85	JEFFERSON JIMPLECUTE	\$53.80	\$53.80	500 #10, REG ENVEL, 2 ROLODEX CARDS, NAMEPLATE & HOLDER
9273	03/15/85	BILL McCAY	\$57.50	\$57.50	TRAVEL FOR FEB. '85
9274	03/15/85	MIKE STARKEY	\$59.52	\$59.52	TRAVEL FOR FEB. '85
9275	03/15/85	PHILLIPS PETROLEUM COMPANY	\$61.63	\$61.63	ACCOUNT NO 699 268 475 0
9276	03/15/85	BENNETT PRINTING COMPANY	\$68.45	\$68.45	SMEAD #618CB FORM #26 CIVIL CASEBINDERS
9277	03/15/85	JOE ISONHOOD	\$85.00	\$35.00 \$35.00 \$15.00	1 40 BATTERY 1 3 YR. BATTERY 1 5 YR. BATTERY EXCHANGE
9278	03/15/85	ALTON DAHL	\$90.64	\$90.64	TAX REFUND
9279	03/15/85	JOANN STOCKS	\$114.20	\$26.43 \$87.55	TRAVEL FOR FEB. '85 REIMBURSEMENTS FOR TRAINING & EDUCATION
9280	03/15/85	GERALDINE RICKEY	\$124.89	\$124.89	TAX REFUND
9281	03/15/85	SOUTHWESTERN BELL TELEPHONE	\$220.41	\$220.41	MONTHLY BILLING
9282	03/15/85	VINGO FOODS	\$376.56	\$376.56	INVOICES * NOT INCLUDED IN MONTHLY BILLING SENT 3-11-85
9283	03/15/85	GOODYEAR AUTO SERVICE CENTER	\$476.38	\$32.50 \$185.60 \$137.58	ACCOUNT NO 40020: TIRE, BALANCE & VALVE ON UNIT #214 CUSTOMER NO 40020: TIRES, BALANCE & VALVES UNIT #211 CUSTOMER NO 40022: TIRES & TUBE '74 FORD TRUCK

Check #.	Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
9284	03/15/85	THE ULTIMATE CORP.	\$2,415.00	\$2,415.00	COMPUTER SERVICE AGREEMENTS
9285	03/15/85	UPSHUR COUNTY INSURANCE ACCOUN	\$5,613.82	\$5,613.82	MONTHLY INSURANCE PREMIUMS
9286	03/15/85	UPSHUR COUNTY INSURANCE ACCOUN	\$17,171.74	\$17,171.74	MONTHLY INSURANCE CLAIMS
9287	03/15/85	NORWELL EQUIPMENT CO.	\$81,757.86	\$81,757.86	S#506746,770-A MOTOR GRADER:LESS TRADE-IN.CAT MODEL 12 S#8T16996
9317	03/19/85	BOBBIE JOHNSON	\$6.00	\$6.00	1 DAY JURY SERVICE
9318	03/19/85	DEBRA BULFINCH	\$6.00	\$6.00	1 DAY JURY-CASE #D-1726
9319	03/19/85	DALE JEWKES	\$6.00	\$6.00	1 DAY JURY SERVICE
9320	03/19/85	JUANELL ELIOFF	\$6.00	\$6.00	1 DAY JURY SERVICE
9321	03/19/85	GUY E. SMITH	\$6.00	\$6.00	1 DAY JURY SERVICE
9322	03/19/85	LESTER McCURRY	\$6.00	\$6.00	1 DAY JURY-CASE #D-1726
9323	03/19/85	MARSHA RAMSEY	\$6.00	\$6.00	1 DAY JURY SERVICE
9324	03/19/85	MRS. BOBBY OSBORNE	\$6.00	\$6.00	1 DAY JURY-CASE #D-1726
9325	03/19/85	RENE MORRIS	\$6.00	\$6.00	1 DAY JURY SERVICE
9326	03/19/85	SUE THREADGILL	\$6.00	\$6.00	1 DAY JURY-CASE #D-1726
9327	03/19/85	LINDA PALMER	\$6.00	\$6.00	1 DAY JURY-CASE D-1726
9328	03/19/85	TOMMY BLAND	\$6.00	\$6.00	1 DAY JURY-CASE #D-1726
9329	03/19/85	TEXAS DEPT. OF HEALTH	\$20.00	\$20.00	*INDIGENT HEALTH CARE IN ET. TX." 3-20-85; CO. TREAS. & COMM. PCT#3
9333	03/20/85	POSTMASTER	\$506.00	\$506.00	23 ROLLS OF 100 STAMPS @ .22 (EA);POSTAGE MACHINE BROKEN IN CO. CLK'S OFFICE
9342	03/21/85	MRS. BENJAMIN F. FORD	\$6.00	\$6.00	ONE DAY JURY DUTY
9343	03/21/85	BOSSIE JEAN HARRIS	\$6.00	\$6.00	ONE DAY JURY DUTY
9344	03/21/85	BURNIE FAY CLARK	\$6.00	\$6.00	ONE DAY JURY DUTY
9345	03/21/85	CECIL L. HOLDER	\$6.00	\$6.00	ONE DAY JURY DUTY
9346	03/21/85	DEBORAH THOMAS STRACENER	\$6.00	\$6.00	ONE DAY JURY DUTY
9347	03/21/85	FLOY GEE DUFFEY	\$6.00	\$6.00	ONE DAY JURY DUTY

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UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

25 MAR 1985

THE SOFTWARE GROUP, INC.

Minutes of Accounts Approved  
Disbursements Made from 03/12/85 thru 03/25/85

PAGE 3

Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt.	Invoice Descriptions.....
9348	03/21/85	HUGHLEEN DARDEN CRUMP	\$6.00	\$6.00	ONE DAY JURY DUTY
9349	03/21/85	K. W. MOAD	\$6.00	\$6.00	ONE DAY JURY DUTY
9350	03/21/85	KENNETH DOWNS	\$6.00	\$6.00	ONE DAY JURY DUTY
9351	03/21/85	NADINE BROOKS	\$6.00	\$6.00	ONE DAY JURY DUTY
9352	03/21/85	MRS. PAULA S. DAVIDSON	\$6.00	\$6.00	ONE DAY JURY DUTY
9353	03/21/85	RICHARD CHARLES ADAMS	\$6.00	\$6.00	ONE DAY JURY DUTY
9354	03/21/85	THELMA ADKINS WILLIAMSON	\$6.00	\$6.00	ONE DAY JURY DUTY
9355	03/21/85	THOMAS FULTON BRANTLEY	\$6.00	\$6.00	ONE DAY JURY DUTY
9356	03/21/85	UNA GANN BOBO	\$6.00	\$6.00	ONE DAY JURY DUTY
9357	03/21/85	WILLIAM RAY McCONATHY	\$6.00	\$6.00	ONE DAY JURY DUTY
9358	03/21/85	WILLIAM RILEY ROBERTSON	\$6.00	\$6.00	ONE DAY JURY DUTY
9363	03/25/85	WEST SIDE FURNITURE	\$4.14	\$4.14	6 CANS CHAIN SAW OIL
9364	03/25/85	CYNTHIA SHATTLES	\$4.71	\$4.71	POSTER BOARD & SUPPLIES FOR SIGNS-EDUC. PROGRAM
9365	03/25/85	STAFFORD LOWDON	\$5.04	\$96.18 \$22.44 \$17.40CR \$96.18CR	SPECIAL COPY JUDGEMENT OF CONVICTION, ... PROBATION CUSTOMER #21023500; FLAT WALLET ENV. FORM 26 FORMS RETURNED AFTER INVOICE WAS PAID ITEMS RETURNED
9366	03/25/85	CONSUELLA WEBB	\$10.00	\$10.00	INDIGENT TRAVEL
9367	03/25/85	JERRY NICKERSON	\$10.00	\$10.00	ANNUAL B.E.T. MEETING 2-11-85 @ LONGVIEW, TX.
9368	03/25/85	STANDARD OFFICE EQUIPMENT	\$19.41	\$19.41	CUSTOMER #2148433118; MASTER SEAL REPLACED & FREIGHT
9369	03/25/85	VERNON VICK	\$19.67	\$19.67	INDIGENT MEETING IN TYLER, TX. 3-20-85
9370	03/25/85	INTERSTATE ELECTRIC	\$21.95	\$21.95	60 FT. CORD
9371	03/25/85	DON'S MINI STORAGE	\$23.00	\$23.00	PENT ON STORAGE BUILDING NO. 19 FROM 2/24/85 - 3/24/85
9372	03/25/85	BUTTERWORTHS	\$25.00	\$25.00	CUSTOMER #2001414; EVIDENCE TRIAL MANUAL SUPPLEMENT
9373	03/25/85	TIM CONE	\$25.00	\$25.00	MONTHLY LAW LIBRARIAN FEE
9374	03/25/85	STATE RESERVE LIFE INSURANCE C	\$31.40	\$31.43	GROUP #0870 MONTHLY BILLING
9375	03/25/85	TELETECH CORPORATION	\$45.00	\$45.00	RESOLDER CONNECTIONS IN RADIO IN UNIT #200

Check #.	Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
9376	03/25/85	SAFEWAY STORE	\$50.25	\$50.25	RESTITUTION FOR RUSSELL & MELISSA BROWN-CK. #415 & 419
9377	03/25/85	BERYA JEAN HALL	\$54.00	\$54.00	ROUND TRIP TICKET-JOHN SEALY HOSPITAL-APPT. 3-26-85
9378	03/25/85	EAST TEXAS INSURANCE AGENCY	\$54.00	\$54.00	NOTARY BOND #TXN135750-BRENDA DAVIDSON
9379	03/25/85	RON'S TIRE SERVICE	\$59.00	\$59.00	1 750x18 TIRE FOR BOOM AXE
9380	03/25/85	MRS. DON RITTER	\$68.32	\$68.32	JAN - DEC 1985 LONGVIEW PAPER SUBSCRIPTION
9381	03/25/85	UPSHUR-RURAL ELECTRIC COOP.. C	\$70.69	\$12.93 \$21.73 \$7.00 \$7.18 \$21.85	FINAL BILL ACCT.#902475325 MONTHLY BILLING ACCT.#121782522 MONTHLY BILLING ACCT# 902475309 PCT.4 COURTHOUSE ACCT#503279486 ACCT.#902475307
9382	03/25/85	EVERETT DEAN	\$78.32	\$58.32 \$20.00	SEMI-ANNUAL ETCOG IN RUSK 3-20-85 RENTAL ON P/A SYSTEM FOR GROUND BREAKING
9383	03/25/85	PITNEY BOWES	\$90.00	\$63.00 \$27.00	CUSTOMERT ACCT. #9307 5720 20 6 3-6110 TAPE (POSTAGE MACHINE)
9384	03/25/85	GEORGE P. BANE, INC.	\$92.46	\$23.32 \$45.00 \$24.14	COUPLING CYLINDER KIT ; CUSTOMER NO 91936 MODEL 710-SEAL, ELEMENT, FILTER AY
9385	03/25/85	JACK P. KIRBY, M.D.	\$94.00	\$28.00 \$22.00 \$22.00 \$22.00	OFFICE VISIT FOR WAYNE BANKS OFFICE VISIT FOR JANET L. WILSON MEDICAL SERVICE TO NATHINAE DANIEL MEDICAL SERVICE TO DAVID PHILLIPS
9386	03/25/85	GASTEL TURNER	\$100.00	\$100.00	MONTHLY OFFICE EXPENSE
9387	03/25/85	ASHCRAFT TILE COMPANY	\$112.48	\$112.48	TILES AND MIX
9388	03/25/85	THE SOFTWARE GROUP	\$112.50	\$112.50	SOFTWARE MAINT. & CUSTOMER SUPPORT
9389	03/25/85	SCHWAAB, INC.	\$123.50	\$123.50	7 PERMA STAMPS
9390	03/25/85	TERMINIX SERVICES	\$125.00	\$125.00	PEST CONTRACT CUSTOMER NO 53-53100035
9391	03/25/85	WILLIE LEE WILLIAMS	\$125.00	\$125.00	LEASE AGREE. FOR PIT IN PCT.#1 3-85 THRU 2-86
9392	03/25/85	HUBERT JONES	\$127.50	\$127.50	51 LOADS GRAVEL @ 2.50 (EA)
9393	03/25/85	W. W. BRAINGER, INC.	\$134.18	\$134.18	FREON 22 30 LBS; ACCOUNT NO 00-003-465-2
9394	03/25/85	GERALDINE WATERS	\$137.50	\$137.50	MONTHLY TRAVEL EXPENSE

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Check #.	Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
9395	03/25/85	REGAL OFFICE EQUIPMENT	\$148.12	\$49.00 \$51.12 \$48.00	2 DZ CAL RIBBONS & 2 OLYMPIA COMP II RIBBONS 4 HQT FILES; HANDBOOK & NUMBERING STAMP CUSTOMER #0088350; BLACK PRECISE BALL LINERS
9396	03/25/85	VIRGIL E. MULANAX	\$150.00	\$150.00	JUVENILE BOARD FEE
9397	03/25/85	ESCO ELEVATORS, INC.	\$158.27	\$158.27	ELEVATOR SERVICE FOR MARCH 1985
9398	03/25/85	QUILL CORPORATION	\$191.96	\$191.96	ACCOUNT NO 0150263; CLOCK, FOLDERS, ENVELOPES, CORR FLUID, PENS, LABELS
9399	03/25/85	HOWARD CLIFTON	\$210.00	\$210.00	MONTHLY OFFICE EXPENSE
9400	03/25/85	R.E. "BOB" CROWDER	\$210.00	\$210.00	MONTHLY OFFICE EXPENSE
9401	03/25/85	W. S. CHASTEEN	\$210.00	\$210.00	MONTHLY OFFICE EXPENSE
9402	03/25/85	CITY OF GILMER	\$227.54	\$26.45 \$201.09	ACCT#1-017100 ACCT#1-027400
9403	03/25/85	WEST PUBLISHING COMPANY	\$231.50	\$231.50	REF. NO. 'S-30183439, 30171251, 30312223, 30366524
9404	03/25/85	NORMA TOMLIN	\$238.41	\$238.41	TPA CONFER. @ ABILENE, TX. 3-10, 12, -85
9405	03/25/85	CYNTHIA SHATTLES	\$240.00	\$240.00	MONTHLY TRAVEL EXPENSE
9406	03/25/85	JEROME NICKERSON	\$240.00	\$240.00	MONTHLY TRAVEL EXPENSE
9407	03/25/85	KEITH HAMBERLIN	\$250.35	\$250.35	FEBRUARY 1985 LAUNDRY
9408	03/25/85	HORACE A. RAY	\$263.50	\$263.50	CO. & DIST CLK. CONF. @ COLLEGE STATION, TX. 3-19 THRU 3-21-85
9409	03/25/85	CHARLES SEAHORN	\$265.00	\$265.00	MONTHLY TRAVEL EXPENSES
9410	03/25/85	HENRY T. THREADSILL	\$265.00	\$265.00	MONTHLY TRAVEL EXPENSES
9411	03/25/85	ONIE HOLT, JR.	\$265.00	\$265.00	MONTHLY TRAVEL EXPENSES
9412	03/25/85	STANLEY JENKINS	\$265.00	\$265.00	MONTHLY TRAVEL EXPENSES
9413	03/25/85	W. V. RAY	\$300.00	\$300.00	MONTHLY TRAVEL EXPENSE
9414	03/25/85	BILL MCDAY	\$300.69	\$300.69	TAPCO CONF., ABILENE, TX. MARCH 12-12, '85
9415	03/25/85	JOHNNY MILLER	\$302.50	\$302.50	MONTHLY TRAVEL EXPENSE
9416	03/25/85	ARKLA GAS	\$313.36	\$23.25 \$70.30 \$215.05 \$4.76	ACC# #1220704224008 ACC# #1220708193001 ACC# #1520708296005 ACC# #1720705088005

Check #.	Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
9417	03/25/85	COMPLETE BUSINESS SYSTEMS	\$325.00	\$325.00	COPIER MAINT. \$#542090480*
9418	03/25/85	PATRICIA HARRISON	\$400.00	\$200.00 \$200.00	CT. REPORTING 2-22, 3-1, 3-12-85 3-13-85 PATTON BACON & 3-15-85 PARKER HOLLIS
9419	03/25/85	NATIONAL ASSOCIATION OF COUNTI	\$417.00	\$417.00	CMS FEE; COUNT MEMBERSHIP TILL 4/30/86
9420	03/25/85	BOBBY BARTON	\$430.00	\$430.00	MONTHLY TRAVEL EXPENSE
9421	03/25/85	SOUTHWESTERN ELECTRIC POWER CO	\$491.32	\$111.33 \$12.54 \$117.36 \$57.74 \$192.35	ACCOUNT NO 016301282014 ACCT#09 63 031940 11 ACCT#09 63 047472 13 ACCT#09 63 045152 13 ACCT#09 63 045151 23
9422	03/25/85	VIDEO RECORDING	\$495.00	\$495.00	TIME DATE GEN.
9423	03/25/85	J. L. FENLAW, M.D.	\$569.00	\$569.00	MONTHLY DIRECTOR EXPENSE
9424	03/25/85	STEWART INSURANCE AGENCY	\$612.72	\$612.72	E&O POLICY A582346; 3-27-85 THRU 3-27-86
9425	03/25/85	RIKKI O'NEAL	\$640.00	\$640.00	IN THE MATTER OF JWB; CAUSE NO J-2084
9426	03/25/85	HARTGRAPHICS, INC.	\$661.97	\$93.37 \$508.15 \$149.37 \$88.92CR	CUSTOMER #7352005; 100 CASEBINDER-CRIMINAL-SPEC WORD CUSTOMER #7352200; CITATIONS, TEMP RESTR ORDER a& NOTICE OF HEARING CUSTOMER NO 01-01-016284; 100 SMEAD CASEBINDER-GRN JUV TO CORRECT PRICE ON INV #0001333
9427	03/25/85	BENNETT PRINTING COMPANY	\$695.39	\$418.30 \$73.80 \$203.29	MACHINE REGISTER RECEIPTS JP-1055 WARRANT OF ARREST SECTIONAL POST BINDERS
9428	03/25/85	WM. B. LANGSTON, JR., M.D.	\$800.00	\$800.00	RE: MARCIA L. CHILDS, CAUSE NO. 9383
9429	03/25/85	MICHAEL D. MARTIN	\$980.00	\$50.00 \$50.00 \$50.00 \$220.00 \$160.00 \$250.00 \$200.00	CASE #4013; JOHN LEE KATHER CASE #4012; BILLY JOE JONES CASE #4013A; JERRY DON HANSARD CASE #227-84 KELLY PICKETT CASE#1673-F-3-85 CASE#186-83 TINA LEE TAYLOR CASE #9373 MARC BROWN
9430	03/25/85	GENERAL TELEPHONE COMPANY	\$1,379.03	\$133.92 \$189.46 \$31.52 \$39.26 \$984.87	MONTHLY BILLING ON 843-2836 MONTHLY BILLING 843-2541 MONTHLY BILLING 843-2542 MONTHLY BILLING ON 843-3582 MONTHLY BILLING FOR 843-3083

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UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

25 MAR 1985

THE SOFTWARE GROUP, INC.

Minutes of Accounts Approved  
Disbursements Made from 03/2/85 thru 03/25/85

PAGE 7

Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt.	Invoice Descriptions.....
9431	03/25/85	DARR EQUIPMENT COMPANY	\$2,057.50	\$2,057.50	NOTE PAYMENT ON CT 61M09913
9432	03/25/85	SANDY LIVENGOD	\$2,462.00	\$2,442.00 \$50.00	CASE #9383 MARCIA L. CHILDS CASE #4015 IMOGENE WATERS
9433	03/25/85	GILMER NATIONAL BANK	\$3,327.52	\$3,327.52	MONTHLY PAYMENT ON TELEPHONE & COMPUTER
9434	03/25/85	NORWELL EQUIPMENT CO.	\$4,950.00	\$4,950.00	CRTRKT STANDARD TRAILER S#CZ02238506
9435	03/25/85	THE R.E. HABLE COMPANY	\$6,231.01	\$6,231.01	PROGRESS PAYMENT #4 ON JUSTICE CENTER
9436	03/25/85	BUSINESS RECORDS CORPORATION	\$7,800.33	\$2,300.33 \$5,500.00	*MICROFILM AND INDEXING; CUSTOMER #09065541 CUSTOMER NO 05065541; COUNTY RECORDS RECREATION - ORIGINAL VOL A-Z & 1-29
9437	03/25/85	UPSHUR COUNTY APPRAISAL DISTRI	\$22,768.50	\$22,768.50	QUARTERLY PAYMENT
<b>Total:</b>			<b>\$176,372.35</b>		

*Everett Dean*  
Everett Dean, County Judge

*Gaddis Lindsey*  
Gaddis Lindsey, Commissioner Pct #1

*J.W. Meadows*  
J.W. Meadows, Commissioner Pct #2

*David Loyd*  
David Loyd, Commissioner Pct #3

*Paul Davis*  
Paul Davis, Commissioner Pct #4

BY \_\_\_\_\_  
DATE 03-25-85

25 MAR 24 11 59

FILED

VOL. 25 PG. 706



**J. B. HILL, JR.**

COUNTY CLERK  
UPSHUR COUNTY COURTHOUSE  
GILMER, TEXAS 75644

PHONE 843-3118

March 25, 1985

The following names were selected to serve on the Grievance Committee for the year 1985: Bobby G. Bishop, James D. Allen, and Jed M. Hampton. After the County Clerk's office notified them, all agreed to serve on the committee board. Therefore the County Clerk requests that the letters of response be placed into the Court minutes.

*J.B. Hill Jr.*  
J.B. Hill, Jr.



VOL. 25 PG. 102

J. B. HILL, JR.  
COUNTY CLERK  
UPSHUR COUNTY COURTHOUSE  
GILMER, TEXAS 75644

PHONE 843-3118

January 28, 1985

The Commissioner's Court has selected you to serve on the Grievance Committee Board for the year 1985. The Court would appreciate you notifying the County Clerk by signing this letter and returning it, if you will be able to serve.

County Recorder for  
Upshur County Court

*J. B. Hill, Jr.*

J. B. Hill, Jr., County Clerk

I agree to serve on the Grievance Committee Board for the year of 1985.

*Jed M. Hampton*

VOL 25 PG. 608



J. B. HILL, JR.  
COUNTY CLERK  
UPSHUR COUNTY COURTHOUSE  
GILMER, TEXAS 75644

PHONE 843-3118

January 28, 1985

The Commissioner's Court has selected you to serve on the Grievance Committee Board for the year 1985. The Court would appreciate you notifying the County Clerk by signing this letter and returning it, if you will be able to serve.

County Recorder for  
Upshur County Court

*J. B. Hill, Jr.*

J. B. Hill, Jr. , County Clerk

I agree to serve on the Grievance Committee Board for the year of 1985.

*James D. Allen*

JAN 29 1985

BY \_\_\_\_\_ DEPUTY



**J. B. HILL, JR.**  
COUNTY CLERK  
UPSHUR COUNTY COURTHOUSE  
GILMER, TEXAS 75644

PHONE 843-3118

January 28, 1985

The Commissioner's Court has selected you to serve on the Grievance Committee Board for the year 1985. The Court would appreciate you notifying the County Clerk by signing this letter and returning it, if you will be able to serve.

County Recorder for  
Upshur County Court

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

I agree to serve on the Grievance Committee Board for the year of 1984.

*Anthony G. Bishop*

UPSHUR COUNTY  
BY \_\_\_\_\_  
DEPUTY

85 MAR 19 AM 8:49

FILED  
J.B. HILL, JR.  
COUNTY CLERK

VOL 25 PG 610



P.O. BOX 1432 GLADEWATER, TX 75847

**JACK M. FINLEY, INC.**  
DBA LAWYERS TITLE AGENCY  
OPERATING ACCOUNT  
811A GILMER RD. 297-7721  
LONGVIEW, TEXAS 75804

1714

April 2 1985

88-1378  
1119

PAY  
TO THE  
ORDER OF

J. B. Hill, Jr.

\$ 150.00

One Hundred Fifty and 00/100

DOLLARS

<u>Capita - April '85</u>	<u>150</u>	<u>00</u>

LAWYERS TITLE AGENCY  
OPERATING ACCOUNT

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

Mrs. Jack M. Finley

⑆001714⑆ ⑆111913798⑆ ⑆9004300⑆

FILED  
J.B. Hill, Jr.  
Clerk of Court

35 APR 3 AM 8:46

BY \_\_\_\_\_  
DEPUTY