



UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

10-21-91

Commissioners Court met in special session with all members present except Judge Dean.

Motion by Gaddis Lindsey seconded by Tommy Stanley to approve the minutes of the previous meeting. Motion carried.

Sheriff Cross met with the court concerning a vehicle the Forest Service has offered to donate to the county. He stated that it is a panel truck the county can use to carry equipment for investigations. The only stipulation was that the county pay the insurance on the vehicle and investigate any fires that need it. Motion by Tommy Eatherton seconded by Tommy Stanley to accept the truck. Motion carried.

A letter was read concerning the land the county proposes to buy for the prison. The letter was from the District Attorney, Tim Cone, and stated that it would be proper for the county to buy the land and then donate it to the TDCJ. Gaston Deberry stated that there are a total of 335 acres in the tract on the Appraisal District map but that the land needs to be surveyed before the proposal is presented in case the survey comes up short. It was agreed that the survey and geological tests be done as soon as possible. It was also stated that the minerals, drilling, etc. be covered in the contract. Motion by Tommy Eatherton seconded by Gaddis Lindsey to go ahead with the survey and other tests. Motion carried, copy attached.

Motion by Gaddis Lindsey seconded by Tommy Eatherton to approve the taxroll. Motion carried.

Motion by Gaddis Lindsey seconded by Tommy Eatherton to approve the tax assessor and two deputies attending a meeting in College Station. Motion carried.

Motion by Tommy Eatherton seconded by Gaddis Lindsey to adjourn. Motion carried.

COUNTY JUDGE

Gaddis Lindsey

COMMISSIONER PCT. # 1

Tommy Stanley

COMMISSIONER PCT. # 2

Paul Roy

COMMISSIONER PCT. # 3

Tommy Eatherton

COMMISSIONER PCT. # 4

TIM CONE
CRIMINAL DISTRICT ATTORNEY



TELEPHONE: (903) 843-5513
FAX: 903-843-3661

Criminal District Attorney
405 N. TITUS
UPSHUR COUNTY
GILMER, TEXAS 75644

October 21, 1991

Mr. Gaddis Lindsey
Upshur County Commissioner
Post Office Box 730
Gilmer, Texas 75644

Re: The purchase of real estate by the County for the purpose of
a grant of said property for the establishment of a prison.

Dear Gaddis:

As you know, the sale or lease of real property by a county is covered and strictly mandated by the terms of Chapter 263 of the local government code. However, it does not appear to me that the question that has been asked regarding the propriety of the county purchasing real estate and then granting the real estate to the prison system for the building of and establishment of a prison facility is covered by the Chapter 263 as such disposition would not be either a sale or a lease. Article 725 d of Vernon's Annotated Civil Statutes, State of Texas states in part the following in Section 11: "This article does not preclude a county from making a grant of funds or property to an agency of the state for the purpose of assisting the agency in acquiring or developing a site for a prison, law enforcement detention facility, or other law enforcement facilities as defined in Section 6(b)(2), Article 42.13, Code of Criminal Procedure."

Certainly this statement by the legislature would indicate that it is proper for the county to obtain real estate and make a grant of that real estate to an agency of the State of Texas for the purpose of developing a site for a prison.

If you have any further questions on this matter, please feel free to contact. Thank you for your attention and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to be "Tim Cone".

Tim Cone

Date: 10-21-91

COMMISSIONER COURT
ATTENDANCE SHEET

Name	City of Residence
Dwight J. Hill	Hilary Tex
K. Bruner Bedquist	Cladewater, Minn.
Jimmy Bruner	Ore City
Lee Standifer	Ore City
Dyregythe Ravel (city) Sec	City of Ore City
M. DeBour	City of Ore City
J. J. (Jim) Nudspeth	Box 127 Ore City, Tex.
Tommy Lee Ferason	PO Box 2 Ore City, Tex.

**UPSHUR COUNTY COMMISSIONERS COURT**
GILMER, TEXAS

10-28-91

Commissioners Court met in special session with all members present except Judge Dean.

Motion by Gaddis Lindsey seconded by Tommy Stanley to approve the minutes of the previous meeting. Motion carried.

Motion by David Loyd seconded by Tommy Stanley to approve the payroll changes of the following: Kevin Tucker, Lamona Linch, Janet Williams, Reggie Brinkley, L. C. Stevenson, Mark Boobar and Billy Glenn. Motion carried, copy attached.

Motion by Tommy Eatherton seconded by Tommy Stanley to approve the payment of the bills now due. Motion carried, copies not attached.

John Self met with the court to explain the East Texas Emergency Medical Services. He is requesting permission to expand his services into the unincorporated areas of Upshur County. He said his is the largest EMS in East Texas and is affiliated with Medical Center Hospital. The cost to members they have at present in Gladewater is \$48.00 per year and if they have Medicare, there is usually no out of pocket expense. He requested the court to consider this and to pass a resolution allowing them to hold a membership drive.

Horace Ray met with the court to request a part time employee. He said one of his deputies has had surgery and will be out a total of 3 to 4 weeks. He stated that his work load has increased this year and he had requested another deputy be added to his staff before the budget was approved but did not get one. The computer system in the Justice Center was discussed and Mr. Ray stated that he needs someone to help change the system over to the new software. It was decided to wait until the next meeting when someone from Software Group will be here to find out when the change will be made.

Constable Pct. 4 Cloddie Henson met with the court to request funds to pay for him attending a school in Longview on arson investigation. He was asked if he did such investigations and he said he would if asked. It was pointed out that there is a deputy from the sheriff's office attending that he could ride with and would not require travel expense. Motion by Gaddis Lindsey seconded by Tommy Eatherton to approve paying his registration fee. Motion carried, copy attached.

Motion by Tommy Eatherton seconded by Gaddis Lindsey to allow the county clerk to attend a meeting in Austin Dec. 1-3, 1991. Motion carried, copy attached.

Ed Moore from Southwest Securities met with the court concerning refunding bonds the county has. This will be placed on the agenda of a later meeting.

Motion by Tommy Eatherton seconded by Gaddis Lindsey to approve the overload permit by Tom Thorp Transports to haul in Upshur County. Motion carried, copy on file.

Motion by Gaddis Lindsey seconded by Tommy Eatherton to approve the overload permit by American Steel Transport to haul in Upshur County. Motion carried, copy on file.

Gaddis Lindsey made the suggestion that in future all companies requesting overload permits be sent a letter informing them that they must get a permit from the county to haul on county roads even though they have already filed the states copy.

Motion by Tommy Stanley seconded by Gaddis Lindsey to approve the permit application of Morris Ward to install a culvert within ROW of Rose Trail. Motion carried, copy attached.

Motion by Tommy Stanley seconded by Gaddis Lindsey to approve the permit application of James Johnson to install a culvert within ROW of Wisteria Road. Motion carried, copy attached.

Motion by Gaddis Lindsey seconded by Tommy Eatherton to approve the permit application of Laveda Hudgens to install a culvert within ROW of Wood Road. Motion carried, copy attached.

Motion by Gaddis Lindsey seconded by Tommy Stanley to approve the permit application of Jim Conroy to install a culvert within ROW of Reynolds Road. Motion carried, copy attached.

Motion by Gaddis Lindsey seconded by Tommy Stanley to approve the special road use agreement by Sam Lindsey to haul logs on Pinto Road. Motion carried, copy attached.

Motion by Tommy Stanley seconded by Gaddis Lindsey to approve the special road use agreement by William Robertson to haul logs on Smilax Road. Motion carried, copy attached.

Motion by Gaddis Lindsey seconded by Tommy Stanley to approve the special road use agreement by Steve Adams to haul logs on Snider and Glenwood Acres Roads. Motion carried, copy attached.

COUNTY JUDGE

Gaddis Lindsey
COMMISSIONER PCT. # 1

Tommy Stanley
COMMISSIONER PCT. # 2

David Royd
COMMISSIONER PCT. # 3

Tommy Roberts
COMMISSIONER PCT. # 4

TO: PAYROLL DEPARTMENT

VOL 38 PG 107

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

EFFECT 10-1-91
(DATE & TIME)

EMPLOYEE Kevin Tucher (Pot#3)

SOCIAL SECURITY NO _____ CLOCK NO 415

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	\$ 13.7	13.9
<input type="checkbox"/>	\$ 1322.70/mo	1386.33/mo

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 David Royl DATE 10-21-91

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT

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

EFFECT 11-1-91
(DATE & TIME)

EMPLOYEE Lamoria Finch (Library)

SOCIAL SECURITY NO _____ CLOCK NO _____

VOL 38 PG 128

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	4.3	
<input type="checkbox"/>	4.25/hr.	

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) Part-time employee

CHANGE AUTHORIZED BY Joyce Morrison DATE 10-11-91

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT

VOL 38 PG 109

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

EFFECT October 1, 1991
(DATE & TIME)

EMPLOYEE Janet Williams (Library)

SOCIAL SECURITY NO _____ CLOCK NO 390

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 type="checkbox"/> RATE		
<input type="checkbox"/>		

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) Longevity 3 years 7/12/88

CHANGE AUTHORIZED BY Janet Williams DATE 10-22-91

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT

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

EFFECT 10-21-91
(DATE & TIME)
 EMPLOYEE Reggie Brinkley (Ret #2)
 SOCIAL SECURITY NO _____ CLOCK NO. 478

VOL 38 PG 110

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 type="checkbox"/> RATE	4.10	
<input type="checkbox"/>	5.09/HR	

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 _____ UNTIL _____
(DATE) (DATE)
 OTHER (EXPLAIN) Part-time Employee

CHANGE AUTHORIZED BY Sammy P. Stanley DATE 10-22-91

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT

VOL 38 PG 111

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

EFFECT 10-1-91

EMPLOYEE L.C. Stevenson (Pct#3)

SOCIAL SECURITY NO _____ CLOCK NO 468

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>2.7</u> \$4.25/HR	<u>5.8</u> \$5.09/HR
<input type="checkbox"/>		

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) Part-time employee

CHANGE AUTHORIZED BY David Royl DATE 10-21-91

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT

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

EFFECT 10-01-91
(DATE & TIME)
 EMPLOYEE mark B Boobar (Pet#3)
 SOCIAL SECURITY NO 455-35-8866 CLOCK NO. 409

VOL 8 PG 112

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 type="checkbox"/> RATE		
<input type="checkbox"/>	<u>13,11/1,453.15</u> <small>MO.</small>	<u>14,10/1,488.25</u> <small>MO.</small>

REASON FOR THE CHANGE(S)

- | | |
|--|--|
| <input type="checkbox"/> HIRED | <input type="checkbox"/> PROBATIONARY PERIOD COMPLETED |
| <input type="checkbox"/> RE-HIRED | <input type="checkbox"/> LENGTH OF SERVICE INCREASE |
| <input checked="" type="checkbox"/> PROMOTION | <input type="checkbox"/> RE-EVALUATION OF EXISTING JOB |
| <input type="checkbox"/> DEMOTION | <input type="checkbox"/> RESIGNATION |
| <input type="checkbox"/> TRANSFER | <input type="checkbox"/> RETIREMENT |
| <input checked="" type="checkbox"/> MERIT INCREASE | <input type="checkbox"/> LAYOFF |
| <input type="checkbox"/> UNION SCALE | <input type="checkbox"/> DISCHARGE |

LEAVE OF ABSENCE FROM _____ UNTIL _____
(DATE) (DATE)

OTHER (EXPLAIN) _____

CHANGE AUTHORIZED BY David Boyd DATE 10-21-91

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT VOL 38 PG 113

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

EFFECT 10-01-91
(DATE & TIME)

EMPLOYEE Billy E. Glenn (Pat#3)

SOCIAL SECURITY NO 452-72-1328 CLOCK NO 418

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 type="checkbox"/> RATE		
<input type="checkbox"/>	<u>13,10 / 1,419.76</u> M.D.	<u>149 / \$1,453.15</u> M.D.

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 David Royle DATE 10-21-91

CHANGE APPROVED BY _____ DATE _____

TEXAS DEPARTMENT OF HEALTH
BUREAU OF VITAL STATISTICS
1100 West 49th Street
Austin, Texas 78756-3191

1991 TEXAS CONFERENCE ON VITAL STATISTICS

For the Thirty-Seventh consecutive year the Bureau of Vital Statistics is sponsoring its Vital Statistics Annual Conference. This year, it will be held December 1-3 at the Red Lion Hotel in Austin, located at the intersection of U.S 290 and I-35.

This years conference will highlight those changes, revisions, new rules and regulations that affect our vital records business. There will be demonstrations of remote certification and the electronic birth certificate. We will again give you ample opportunity in both small and large groups to have your questions answered.

Every hospital and local registrar's office should be represented at this informative conference. It's a time to learn, share, and exchange ideas.

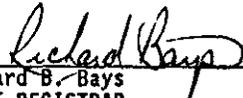
The conference pre-registration fee is \$10.00 per person. Mail your check or money order and the completed pre-registration cards to the Texas Health Foundation (address below). Be sure your checks are made out to the Texas Health Foundation and not to the Bureau or Texas Health Department. Keep in mind that on-site registration will be \$15.00. So pre-register and save \$5.00.

Texas Health Foundation
P.O. Box 26399
Austin, Texas 78755-0399

NOTICE: PRE-REGISTRATION IS \$10.00
ON-SITE REGISTRATION IS \$15.00

Hotel room reservation cards should be returned directly to the Red Lion Hotel. If no card is enclosed please telephone the hotel (512-323-5466) to make your reservations. It may serve you best to make your reservations early since we are limited to 220 rooms for both nights.

We sincerely hope to see you in December.

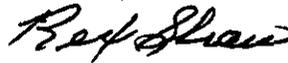

Richard B. Bays
STATE REGISTRAR
Bureau of Vital Statistics

*****October 23, 1991*****

To: Comissioner's Court
From: Rex Shaw

Request approval to attend the 1991 Texas Conference
on Vital Statistics. DEC. 1-2-3

Thanks,





SOUTHWEST SECURITIES

INCORPORATED
415 NORTH CENTER - SUITE 1
P O BOX 2032
LONGVIEW, TEXAS 75608

SUMMARY OF PROPOSED REFUNDING

- 1) Refund the following bonds:
 - a) Series 1977, maturities 1993-1995
 - b) Series 1979, maturities 1993-1995
 - c) Series 1985-A, maturities 1996-2000
 - d) Series 1987, maturities 1996-1998
- 2) Sell new refunding bonds payable February 15, 1992, through February 15, 2000, with municipal bond insurance and an estimated average interest rate of 5.74%
- 3) Net estimated savings averaging \$10,750 per year for a total estimated savings of \$96,757
- 4) Underwriter's discount of 1.5 percent
- 5) Estimated costs of issuance are \$60,000. Any unused funds will be returned to the County as additional savings. Any excess costs will be absorbed by Southwest Securities.

UNIFORM SAVINGS
AAA-RATED

INSURED

PROPOSED \$2,460,000
UPSHUR COUNTY, TEXAS
GENERAL OBLIGATION REFUNDING BONDS, SERIES 1991

SOURCES AND USES OF FUNDS

SOURCES OF FUNDS:

PAR AMOUNT OF ISSUE	\$2,460,000.00
ACCURED INTEREST	10,942.71
TOTAL	----- \$2,470,942.71 =====

USES OF FUNDS:

PURCHASE U.S. GOVERNMENT SERIES FOR ESCROW	\$2,052,800.00
CASH DEPOSIT TO ESCROW ACCOUNT	95.54
REDEMPTION OF SERIES 1977 AND 1979 BONDS	309,000.00
ESTIMATED COSTS OF ISSUANCE	30,000.00
MUNICIPAL BOND INSURANCE	30,000.00
UNDERWRITER'S DISCOUNT	36,900.00
DEPOSIT TO INTEREST AND SINKING FUND	10,942.71
CONTINGENCY	1,204.46
TOTAL	----- \$2,470,942.71 =====

OCTOBER 22, 1991

UPSHUR COUNTY REFUNDING BONDSESTIMATED COSTS OF ISSUANCE

Bond Attorney	\$ 8,000
Bond Rating	8,500
O.S. Preparation and Printing	1,500
Bond Printing	1,250
CPA Verification	3,000
Escrow Fee	2,500
PA Fee (old)	2,500
Attorney General	750
Computer Calculation	500
Redemption Notice	1,100
PA Acceptance Fee	100
Bond Insurance	30,000 -
Miscellaneous	<u>300</u>
	\$60,000

General Obligation Refunding Bonds
Series 1991

Suggested Schedule of Events

<u>Date</u>	<u>Action</u>
10/28/91	Commissioners Court meeting to review plan of financing and authorize Southwest Securities to proceed
11/01/91	Submit financial information to Southwest Securities
11/04/91	Commence preparation of Preliminary Official Statement
11/08/91	Submit Preliminary Official Statement and financing documents to rating agency and insurance companies
11/14/91	Release Preliminary Official Statement for printing
11/15/91	Distribute Preliminary Official Statement to investment community
11/20/91	Receive municipal bond rating and insurance commitment
11/22/91	Review market conditions, offer bonds for sale
11/25/91	Recalculate refunding issue at current market
11/25/91	Commissioners Court meeting to approve documents, adopt ordinance authorizing issuance of bonds and execute escrow agreement
11/25/91	File Letter of Intent to subscribe to government securities
11/28/91	Submit transcript of proceedings to Attorney General for approval
12/02/91	Mail final Official Statement
12/04/91	Subscribe to State & Local Government Securities for Escrow
12/06/91	Receive escrow verification report from certified public accountants
12/12/91	Receive Attorney General approval
12/19/91	Refunding bond issue closing

TOM THORP TRANSPORTS
LIVESTOCK TRUCKING
 P.O. Box 30065 (915) 655-5152
 San Angelo, TX 76903 (915) 653-1714
 RCC-38213 ICCMC-231455

DATE: SEPTEMBER 26, 1991

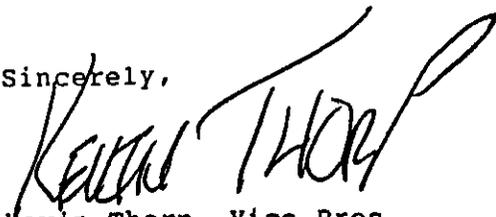
COUNTY CLERK

UPSHUR COUNTY, TEXAS

TEXAS 2060 PERMIT
 Permit for over axle and over gross weight
 State Department Of Highways & Public Transportation

In compliance with Part II, Section A: Routing, we (Tom Thorp Transports, Inc.) are required to notify you that our fleet of company vehicles may be operating on your county roads. We have received agricultural permits that authorize these vehicles to exceed the maximum axle weight by a tolerance of 12% and to exceed the maximum gross weight by a tolerance of 5%. Please keep this letter on file in your records. Thank you for your cooperation in this matter.

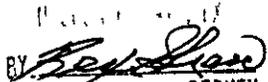
Sincerely,



Kevin Thorp, Vice-Pres.
 Tom Thorp Livestock Trucking

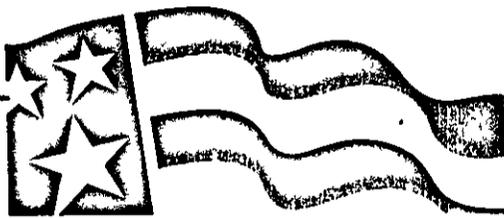
FILED
 REX A. SHAW
 COUNTY CLERK

21 OCT 15 PM 1:37

BY 
 DEPUTY

Approved

VOL 38 PG 122



AMERICA STEEL TRANSPORT, INC.

October 11, 1991

Dear Sir:

Enclosed you will find a copy of Permit 2060, a list of our equipment, and bond. As instructed by the Texas State Department of Highways and Public Transportation in Austin, Texas. This is to notify you that America Steel Transport at 280 Ward Road, Midlothian, Texas 76065, is authorized to operate on county roads in accordance to the regulation of the Texas State Department of Highways and Public Transportation.

Please do not hesitate to contact me if you should have any further questions. Thank You.

Sincerely,

Terry Weeks

Terry Weeks
Safety Director

TW:mjp

3-TRUCKS
[Signature]

FILED
REX A. SPEW
C.D. ...
OCT 22 PM 3:12
DEPUTY

P.O. BOX 1046 • MIDLOTHIAN, TEXAS 76065-1046 • 800-633-8795 • 214-775-1195

OVER AXLE AND OVER GROSS WEIGHT TOLERANCE PERMIT BOND

KNOW ALL MEN BY THESE PRESENTS:

That we AMERICA STEEL TRANSPORT as Principal, whose address is 280 WARD RD. MIDLOTHIAN, TEXAS 76065 and LAWYERS SURETY CORPORATION as Surety, being a surety company authorized to do business in the State of Texas, are held and firmly bound unto the State Department of Highways and Public Transportation of Texas and to the counties of this State in the penal sum of fifteen Thousand and No/100 (\$15,000.00) Dollars, to the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, and assigns.

The conditions of the above obligations are such that:

NOW, THEREFORE, the above named Principal will make payment to the State Department of Highways and Public Transportation of Texas and to the counties of the State for any and all damages that may be sustained to any highway under the jurisdiction of the State Highway and Public Transportation Commission or of the County Commissioners Court of any county by virtue of the operation of any equipment of the Principal for which a permit is issued to operate under the provisions of Article 6701d-11, Texas Civil Statutes, as amended by H.B. 2060, act of the 71st Legislature, 1969, Regular Session.

This bond shall remain in full force and effect, subject to the following conditions:

1. It is agreed that as of DECEMBER 10, 1990, this bond shall be in full force and effect indefinitely and that a continuation or renewal certificate is unnecessary.
2. The Surety may at any time cancel this bond by giving thirty (30) days written notice to the State Department of Highways and Public Transportation, the Surety, however, remaining liable for any defaults under this bond committed prior to the expiration of such thirty-day period.

PROVIDED, HOWEVER, the Surety shall notify the Department and the Principal in writing promptly after any payment is made by the Surety in respect to this bond and, regardless of the number of years this bond may remain in force and the number of claims which may be made against this bond, the liability of the Surety shall not be cumulative and the aggregate liability of the Surety for any and all claims, suits, or actions under this bond shall not exceed the amount stated above.

Any revisions of the bond amount shall not be cumulative.

IN WITNESS WHEREOF said Principal and Surety have executed this bond and the effective date to begin on the 10 day of DECEMBER, 1990.

America Steel Transport
Principal
By: [Signature]
Surety Lawyers Surety Corporation
By: [Signature]
Attorney-in-Fact



KNOW ALL MEN BY THESE PRESENTS That LAWYERS SURETY CORPORATION, a Texas Corporation, does hereby make, constitute and appoint

ANNIE TUTT, LISA ROLLINS, TENA B. WILSON, LAURA STEVENS, CAROLINE CABIANCA, DEBBIE GRIFFITH, E.K. ROBINSON, OF DALLAS, TX

its true and lawful Attorney(s)-in Fact with full power and authority for and on behalf of the company as set forth herein to execute and deliver and affix the seal of the company thereto if a seal is required, bonds undertakings recognizances or other written obligations in the nature thereof (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds) as follows:

ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED AN AGGREGATE OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) --- FOR ANY SINGLE OBLIGATION, REGARDLESS OF THE NUMBER OF INSTRUMENTS ISSUED FOR THE OBLIGATION.

to bind LAWYERS SURETY CORPORATION hereby and all of the acts of said Attorneys-in-Fact pursuant to these presents are hereby ratified and confirmed if this appointment is made under and by authority of the following provisions of the By Laws of the company which are now in full force and effect:

Article 5, Section A The Board of Directors shall have the management of the business of the company and in addition to the powers and authorities conferred upon them by these By Laws expressly conferred upon them, may exercise all such powers and do all such acts and things, as may be exercised or done by the corporation

Article 5, Section C The Board of Directors may appoint additional officers and agents to perform such duties. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the Board of Directors of LAWYERS SURETY CORPORATION at a meeting duly held on January 29, 1972

RESOLVED that the PRESIDENT any Vice-President or Assistant Vice President in conjunction with the Secretary or any Assistant Secretary may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case for and on behalf of the company to execute and deliver and affix the seal of the company to bonds undertakings recognizances and suretyship obligations of all kinds, and said officers may remove any attorney-in-fact or agent and revoke any power of attorney previously granted to such person

RESOLVED FURTHER that any bond undertaking recognizances or suretyship obligation shall be valid and binding upon the company (i) when signed and sealed by the President any Vice President, or Assistant Vice President or (ii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the power of attorney issued by the company to such person or persons

RESOLVED FURTHER that the signature of any authorized officers and the seal of the company may be utilized by facsimile to any power of attorney certification thereof authorizing the execution and delivery of any bond undertaking recognizance or other suretyship obligations of the company, and such signature and seal when so used shall have the same force and effect as though manually affixed

IN WITNESS WHEREOF, LAWYERS SURETY CORPORATION has caused these presents to be signed by its proper officer and its corporate seal to be affixed this 25TH day of JULY 19 90

[Signature] Secretary



[Signature] DONALD L. BOWEN

STATE OF WISCONSIN, COUNTY OF WAUKESHA--ss

On this 25TH day of JULY 19 90, personally came before me DONALD L. BOWEN

DAVID G. MENZEL to me known to be the individual and officers of the LAWYERS SURETY CORPORATION who executed the instrument, and they each acknowledged the execution of the same and being by me duly sworn, did severally depose and say that they are the said officers of the corporation aforesaid and that the seal affixed to the above instrument is the seal of the corporation and that said corporate seal and their signatures as officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation



[Signature] My Commission Expires 01/31/93

CERTIFICATE

I, the undersigned assistant secretary of the LAWYERS SURETY CORPORATION a Texas corporation CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked, and furthermore that the provisions of the By Laws of the company and the Resolutions of the board of directors set forth in the Power of Attorney, are now in force

Signed and sealed at the City of Brookfield, WI, this 10th day of December 1990

089-0030



[Signature]

LAWYERS SURETY CORPORATION

THIS DOCUMENT IS NOT VALID UNLESS PRINTED ON COLORED BACKGROUND AND IS MULTI-COLORED.

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT TWO

DATE 10-15-91

Formal notice is hereby given that WARD, MORRIS
whose principal address is Rt 6 Box 703 - Gilmer Tx, 75644
does propose to place a culvert
within the ROW of County Road Rose TRAIL
as follows: 762-6553 or 762-6208 (daughter)

2 pieces there, ready to go side by side


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 Morris Ward

TITLE _____

ADDRESS _____

VOL 38 PG 126

PERMIT APPLICATION FOR
" USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 2
DATE 10-15-91

Formal notice is hereby given that James Johnson
whose principal address is Rt 1 Box 276-1, Van City, TX 75683
does propose to place a Culvert installation
within the ROW of County Road Whitman
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 Margaret Johnson

TITLE _____

ADDRESS _____

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT ONE
DATE 10-14-91

Formal notice is hereby given that Laveda Hudson
whose principal address is P.O. Box 595 One City, Tex. 75683
does propose to place a culvert (several)
within the ROW of County Road Wood Road in Diana
as follows: culverts are in roadway (ditch)
663-2874

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 _____

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT ONE
DATE 10-11-91

Formal notice is hereby given that Jim Conroy
whose principal address is Rt 5 Box 73 B - Gilmer, Tx 75644
does propose to place a culvert
within the ROW of County Road Reynolds Road
as follows: 797-2581

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 and Bridge Department policies and specifications.

Proposed construction will begin, if approved, on or after _____ day of _____, 19____.

NAME _____
TITLE _____
ADDRESS _____

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS §
COUNTY OF UPSHUR §

KNOW ALL MEN BY THESE PRESENTS

The undersigned Sam Lindsey, 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 exact route, direction and miles in tenths) _____

Pinto 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. 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 Commissioner's 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.

Sam Lindsey
First Party Signature

Rt. 6 Box 107
Street or Box

Gilmer, Texas 75644
City, State and Zip Code

903-797-6036
Telephone

Timber Tract

October 22, 1991
Date Signed

County Judge

Yaddis Lindsey
Commissioner 1

Tommy J. Starnes
Commissioner 2

David R. ...
Commissioner 3

Tommy ...
Commissioner 4

Date Signed

Permit issued for a period not to exceed 90 days.

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS §
COUNTY OF UPSHUR §

KNOW ALL MEN BY THESE PRESENTS

The undersigned William Robertson, hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 2, 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. 2, 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 exact route, direction and miles in tenths) _____
Smilax

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. 2, 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 Commissioner's 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.

William Robertson
First Party Signature

Rt. 1 Box 101
Street or Box

Ore City, Texas 75683
City, State and Zip Code

903-968-6484
Telephone

Robertson Logging
Timber Tract

October 23, 1991
Date Signed

County Judge

Madeline Lindsey
Commissioner 1

Tommy P. Stanley
Commissioner 2

Walter D. Loyd
Commissioner 3

Tommy Estel
Commissioner 4

Date Signed

Permit issued for a period not to exceed 90 days.

SPECIAL ROAD USE AGREEMENT CONTRACT

VOL 38 PG 131

THE STATE OF TEXAS §
COUNTY OF UPSHUR §

KNOW ALL MEN BY THESE PRESENTS

The undersigned Steve Adams, 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 exact route, direction and miles in tenths) Snider Road and Glenwood Acres 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. 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 Commissioner's 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.

Steve Adams
First Party Signature
 Rt. 2 Box 806
Street or Box
 Center, Texas 75935
City, State and Zip Code
 409-598-4776
Telephone
 International Paper
Timber Tract
 October 23, 1991
Date Signed

County Judge
 [Signature]
Commissioner 1
 [Signature]
Commissioner 2
 [Signature]
Commissioner 3
 [Signature]
Commissioner 4
Date Signed

Permit issued for a period not to exceed 90 days.

