

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

2-22-1993

Commissioners Court met in special session with all members present.

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

Motion by David Loyd seconded by Tommy Eatherton to approve the overload permit by G. E. Harrison to haul on county roads. Motion carried, copy attached.

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

Motion by Tommy Stanley seconded by Gaddis Lindsey to approve the permit application of Gordon Bevis to install a culvert within ROW of White Tail Lane. Motion carried, copy attached.

Motion by David Loyd seconded by Gaddis Lindsey to approve the permit application of Norris Troboy to install a culvert within ROW of White Oak Road. Motion carried, copy attached.

Motion by Tommy Eatherton seconded by David Loyd to approve the permit application of Delhi Gas Pipeline to install a pipeline within ROW of Elk Road. Motion carried, copy attached.

Motion by David Loyd seconded by Tommy Eatherton to approve the filling of an abandoned well on the property of Mrs. Artie House. Motion carried, copy attached.

Motion by Tommy Stanley seconded by Gaddis Lindsey to approve the filling of an abandoned well on the property of Wayne Fennell. Motion carried, copy attached.

Motion by David Loyd seconded by Tommy Eatherton to approve the special road use agreement by Circle H Timber Co. to haul logs on Red Cedar and Red Maple Roads. Motion carried, copy attached.

Motion by Gaddis Lindsey seconded by Tommy Eatherton to approve the special road use agreement by Jimmie Gilliland to drive an empty truck on Hummingbird, Grouse and Goldfinch Roads. Motion carried, copy attached.

Motion by Tommy Stanley seconded by Gaddis Lindsey to approve the special road use agreement by Circle H. Timber to haul logs on Periwinkle Road. Motion carried, copy attached.

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

Motion by Tommy Stanley seconded by Tommy Eatherton to approve the payroll changes of Rhonda Green, Carolyn Jones, Christie Hallman, Paula Russell, Wayne Smith, Calvin Green and George Glenn. Motion carried, copy attached.

Motion by Tommy Eatherton seconded by Gaddis Lindsey to approve the payment of the bills now due. Motion carried

The court discussed combining some of the election precincts for the May 1, 1993 election. Motion by Gaddis Lindsey seconded by Tommy Stanley to leave all as they are with the exception of Pine Acres. The community center, where elections are usually held, has already been rented for this date. The court stated that they did not want voters to be confused as to where they should vote. Motion carried.

Galen Rosenow met with the court to discuss his delinquent taxes. He stated that he had not gotten statements from Upshur County although he did receive them from the city of Gladewater, Kilgore College and the Gregg County Appraisal District. He said he was willing to pay the taxes but not the penalty and interest since he thinks this is a clerical error on the county's part. Motion by Gaddis Lindsey seconded by Tommy Eatherton to table this until it can be studied further. Motion carried, copy attached.

Motion by Tommy Eatherton seconded by Gaddis Lindsey to approve the refunding of \$2,000.00 to the appraisal district. This was to be used for photos that were not done. It was stated that the county probably should get part of this back. Motion carried.

Ronnie Mitchell, from the Juvenile Probation Office, met with the court to request they purchase a computer for this department. He stated that the money will come from a grant but the law prohibits them from buying equipment directly with the grant money. Therefore, the Juvenile Probation Department will lease the computer from the county with the grant money. Motion by Tommy Eatherton seconded by David Loyd to approve this. Motion carried, copy attached. Mr. Mitchell also told the court he can get grant money for a vehicle to haul the probationers in under the same kind of arrangement.

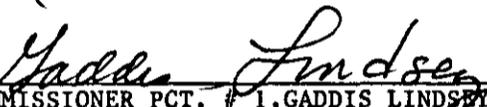
Motion by Gaddis Lindsey seconded by Tommy Stanley to appoint Tim Cone to the Upshur County Rural Fire Protection District as an advisor only. Motion carried.

Motion by Gaddis Lindsey seconded by David Loyd to approve County Clerk, Rex Shaw, and District Clerk Horace Ray attending a meeting in Austin March 15-17, 1993. Motion carried.

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



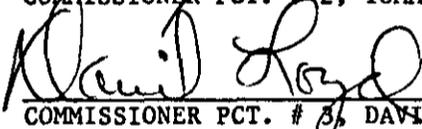
COUNTY JUDGE, EVERETT DEAN



COMMISSIONER PCT. # 1, GADDIS LINDSEY



COMMISSIONER PCT. # 2, TOMMY STANLEY



COMMISSIONER PCT. # 3, DAVID LOYD

COMMISSIONER PCT. # 4, TOMMY EATHERTON

TEXAS 2060 PERMIT
PERMIT FOR OVER AXLE AND OVER GROSS WEIGHT
TEXAS DEPARTMENT OF TRANSPORTATION

PART I.

(This permit must be carried and remain in the vehicle for which it is issued until the day after the expiration date.)

Date of Issue: 02/03/93 Expires on: 02/03/94

A. Company Name: G. E. HARRISON Receipt No.: 30290004
B. Address : ROUTE 1, BOX 162B
City, St., Zip: ATLANTA TX 75551

C. Load/Commodity Description:
Agricultural Non-Agricultural

Max. Width Legal Max Ht. Legal Max Length Legal Gross Wt. Lbs. 5% Over Gross

D. Truck/Tractor Information:
Mk/Mod: 93 MACK VIN: 2M2P264YXPC011758 Lic: R58383 St: TX

E. Axle and Gross Weight Tolerance: (Mark Appropriate Box with)

Non-Agricultural Permit:

Authorizes vehicle to exceed the maximum axle weight by a tolerance of 10% and to exceed the maximum gross weight by a tolerance of 5%.

Agricultural Permit :

Authorizes vehicle to exceed the maximum axle weight by a tolerance of 12% and to exceed the maximum gross weight by a tolerance of 5%.

Note: If the vehicle will be moving both Agricultural and Non-Agricultural products, a Non-Agricultural permit is required.

PART II.

A. Routing:

All roadways on the State Highway System and all county roads in counties where the County Clerk has been notified by registered or certified mail that vehicles will be operated thereon.

B. Remarks:

May operate on load zoned roads at 5% over vehicle Gross Wt. May not operate on load zoned bridges more than 5% over posted load limit. Vehicle must be registered for maximum Gross Wt. for the vehicle. No Interstate movement allowed.

C. Payment Method & Fees:

Cash Permit Payment Permit Fee \$75.00

Permit No:

FILED
REX A. SHAW
COUNTY CLERK
LEFlore COUNTY, TX
93 FEB 16 PM 1:06
BY DEPUTY 0203A0824

Arnold W. Oliver

Arnold W. Oliver, P.E., Executive-Dir.
Texas Department of Transportation

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT ONE
DATE February 8, 1993

Formal notice is hereby given that Phillip Norred
whose principal address is 208 Jet Dr, Longview, Tx. 75603
does propose to place a culvert
within the ROW of County Road June Road
as follows: 643-7437 w/ his work #
Culverts are there - stakes are in place

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 Phillip Norred

TITLE _____

ADDRESS _____



PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 2
DATE 2-18-93

Formal notice is hereby given that Gordon Bevis
whose principal address is 8614 Blossom Ln., Dallas, Tx. 75227
does propose to place a culvert
within the ROW of County Road White Tail Lane
as follows: 214-388-5615
*Mr. Holmes will call when culvert is delivered to location -
markers are up -*

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 Gordon Bevis

TITLE _____

ADDRESS _____



PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 3
DATE 2-18-93

Formal notice is hereby given that Norris Trohey
whose principal address is 205 S. FERRY - Gladewater, Tx. 75647
does propose to place a culvert
within the ROW of County Road White Oak Road
as follows: 903 845-2647

*Will call when culverts are delivered & put up.
stakes.*

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 Norris Trohey

TITLE _____

ADDRESS _____



PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

VOL 40 PG 293

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

PRECINCT #4
DATE 2-9-93

Formal notice is hereby given that Delhi Gas Pipeline Corporation
whose principal address is 1700 Pacific Ave, Dallas, TX 75201 (Land Dept.)
does propose to place a welded steel gas pipeline
within the ROW of County Road Elk Road
as follows: Road-bore procedure with heavy wall pipe, without casing.

SEE ATTACHED LOCATION MAP:

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 22nd. day of February, 19 93.

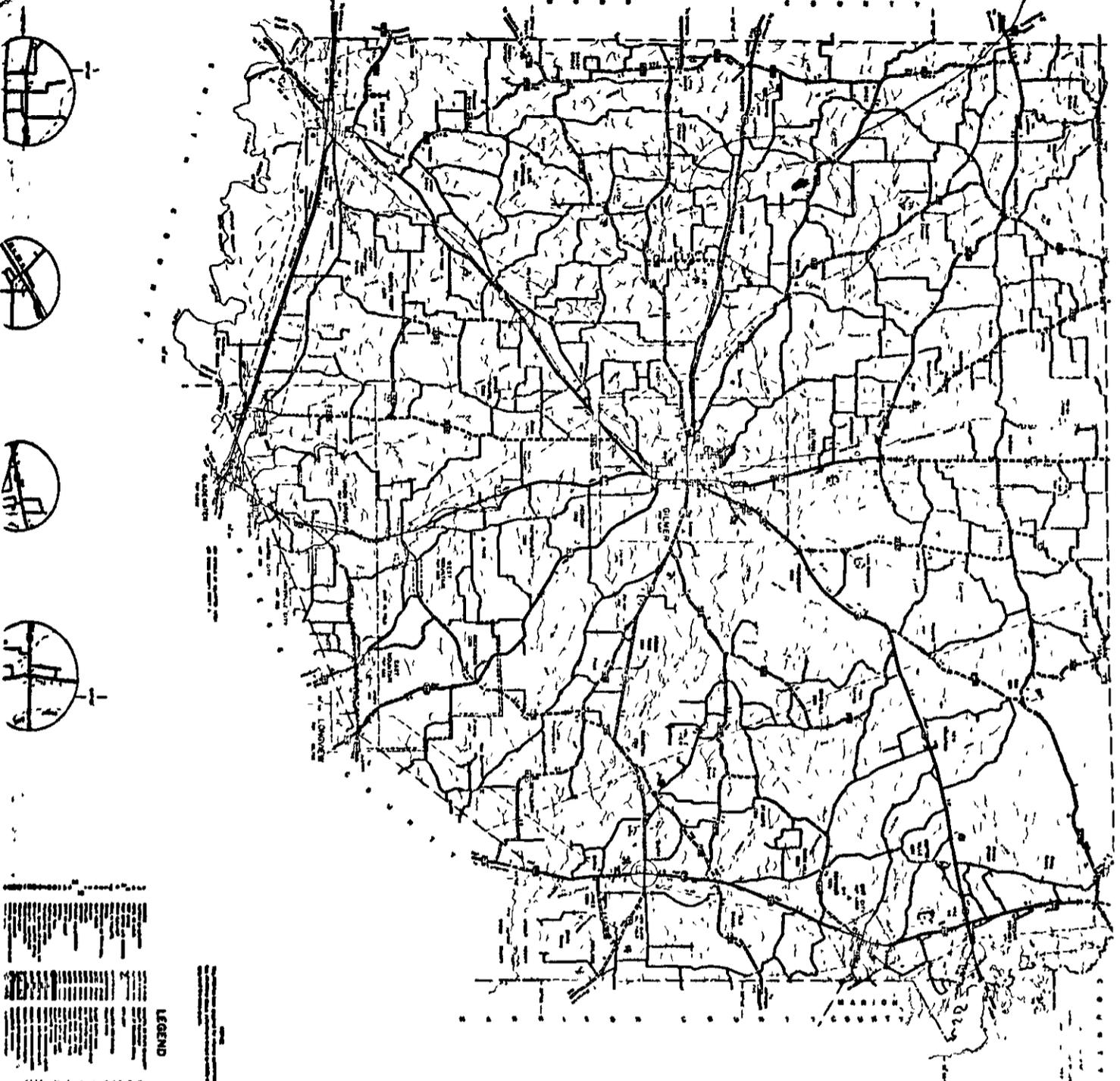
NAME *Gary Waldrop*
Gary Waldrop

TITLE Land Manager

ADDRESS Delhi Gas Pipeline Corporation
1700 Pacific Ave Suite 2500
Dallas TX 75201-4696

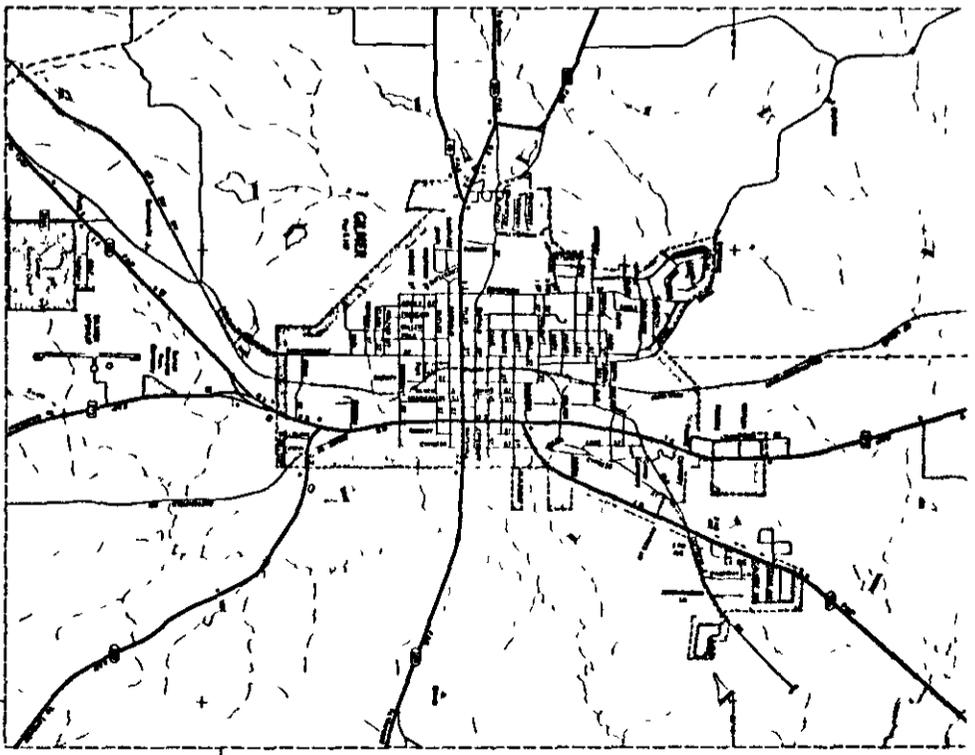
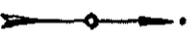
[Handwritten signature]

ELK ROAD
4" Pipeline



LEGEND

[Symbol]	Interstate Highway
[Symbol]	State Highway
[Symbol]	County Road
[Symbol]	Other Road
[Symbol]	Waterway
[Symbol]	City
[Symbol]	Other Place
[Symbol]	Unimproved Road
[Symbol]	Right-of-Way
[Symbol]	Other



**GENERAL HIGHWAY MAP
UPSHUR COUNTY
TEXAS**

Approved by the
STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION
TRANSPORTATION PLANNING DIVISION
in cooperation with the
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

1967

Adj 3

APPLICATION FOR FILLING ABANDONED WELL

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

RE: ABANDONED WELL OWNED BY Mrs Artie A. House
turn left from Hi 155 on Percinman go 1/2
mile. House is on left - well is on right side of
road. Percinman ROAD.
636-4777

GENTLEMEN:
DUE TO HEALTH AS WELL AS SAFETY HAZARDS, WE REQUEST THAT AN
ABANDONED WELL BE FILLED AS SOON AS POSSIBLE.

RESPECTFULLY YOURS,
Mrs Artie A. House
Rt 8 Box 292
Gilmer Texas 75644

PRECINCT Three
DATE 2-17-93

APPROVED X REJECTED

Everett Dean
EVERETT DEAN, COUNTY JUDGE

Gaddis Lindsey
GADDIS LINDSEY, COMMISSIONER 1

Tommy S. Stanley
TOMMY STANLEY, COMMISSIONER 2

David Loyd
DAVID LOYD, COMMISSIONER 3

Tommy Eatherton
TOMMY EATHERTON, COMMISSIONER 4

APPLICATION FOR FILLING ABANDONED WELL

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

RE: ABANDONED WELL OWNED BY Wade Fennell
on 271 North of the
gate & turn right old creek curb
ROAD.

GENTLEMEN:

DUE TO HEALTH AS WELL AS SAFETY HAZARDS, WE REQUEST THAT AN
ABANDONED WELL BE FILLED AS SOON AS POSSIBLE.

RESPECTFULLY YOURS,

Wade Fennell

PRECINCT # 9
DATE 7-18-73

APPROVED REJECTED

Everett Dean
EVERETT DEAN, COUNTY JUDGE

Gaddis Lindsey
GADDIS LINDSEY, COMMISSIONER 1

Tommy Stanley
TOMMY STANLEY, COMMISSIONER 2

David Loyd
DAVID LOYD, COMMISSIONER 3

Tommy Eatherton
TOMMY EATHERTON, COMMISSIONER 4

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS X
COUNTY OF UPSHUR X

KNOW ALL MEN BY THESE PRESENTS

The undersigned Circle H Timber 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 exact route, direction and miles in tenths) Red Cedar Rd 3/4 of a mile + 1 1/2 miles up Red Maple 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. 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 or CASH 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 6702-1, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6702-1, V.A.C.S., are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

Samuel Hodge
First Party Signature
Rt 3, Box 399
Street or Box
Jefferson Tex, 75687
City, State and Zip Code
602, 665-8662
Telephone
Engler
Timber Tract
2-16-93
Date Signed

Ernest D...
County Judge
Gaddis Lindsey
Commissioner 1
Sammy P. Stanley
Commissioner 2
David D. Boyd
Commissioner 3
Tommy E. Bell
Commissioner 4

Date Signed

Permit issued for a period not to exceed 90 days.

X

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS . X

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF UPSHUR X

The undersigned Jimmie D. Willard 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) _____

Hummingbird, House & Goldfinch

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 _____ 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 or CASH 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 6702-1, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6702-1, V.A.C.S., are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

Jimmie D. Willard
First Party Signature

Rt. 1 Box 738
Street or Box

Dalmer, TX 75644
City, State and Zip Code

734-7791
Telephone

Timber Tract

2-9-93
Date Signed

[Signature]
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.

+

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS . X
COUNTY OF UPSHUR X

KNOW ALL MEN BY THESE PRESENTS

The undersigned Circle H. Timber, 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) 1/8 mile up Perissimble 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. 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 or CASH 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 6702-1, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6702-1, V.A.C.S., are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

James Justice
First Party Signature
Rta 3 Box 399
Street or Box
Jefferson 75657
City, State and Zip Code
665-8663
Telephone

Timber Tract
February 8, 1993
Date Signed

[Signature]
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.

+

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS . X
COUNTY OF UPSHUR X

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. 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) Shamrock 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. 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 or CASH 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 6702-1, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6702-1, V.A.C.S., are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

Kellin Hart
First Party Signature

P.O. Box 1122
Street or Box

Gilmer, Texas 75644
City, State and Zip Code

Telephone

James E. Craig
Timber Tract

February 8, 1993
Date Signed

[Signature]
County Judge

Gaddis Lindsey
Commissioner 1

Tommy D. Stanley
Commissioner 2

David Ross
Commissioner 3

Tommy Estel
Commissioner 4

Date Signed

Permit issued for a period not to exceed 90 days.

+

TO: PAYROLL DEPARTMENT

VOL 40 PG 201

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

EFFECT 2-1-93
(DATE & TIME)

EMPLOYEE Rhonda Green

SOCIAL SECURITY NO _____ CLOCK NO 147

THE CHANGE(S)

✓ CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input type="checkbox"/> RATE	<u>8,8</u>	<u>8,9</u>
<input type="checkbox"/>	<u>#1,072.13</u>	<u>#1,097.05</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) 6-month probationary raise

CHANGE AUTHORIZED BY [Signature] DATE 2-19-93

CHANGE APPROVED BY _____ DATE _____

FILED
REX A. SHAW
JOHN A. CLERK
FEB 2 AM 11:15
COMMIT. TX

TO: PAYROLL DEPARTMENT

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

EFFECT 2-1-93
(DATE & TIME)

EMPLOYEE Carolyn Jones

SOCIAL SECURITY NO _____ CLOCK NO 170

THE CHANGE(S)

✓ CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input type="checkbox"/> RATE	<u>\$ 10.6</u>	<u>\$ 10.7</u>
<input type="checkbox"/>	<u>\$ 1123.24</u>	<u>\$ 1149.40</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
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE
- LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

OTHER (EXPLAIN) 6-month probationary raise.

CHANGE AUTHORIZED BY [Signature] DATE 2-18-93

CHANGE APPROVED BY _____ DATE _____

FILED
 REX A. SHAW
 COUNTY CLERK
 \$ FEB 22 AM 11:15
 COUNTY CLERK, TX

TO: PAYROLL DEPARTMENT

VOL 40 PG 303

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

EFFECT Feb 18, 1993, 8 AM
(DATE & TIME)

EMPLOYEE Christie Hallman

SOCIAL SECURITY NO 455-11-2681 CLOCK NO 514

THE CHANGE(S)

✓ CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		<u>8.3</u>
<input type="checkbox"/> JOB		<u>954.38/mo</u>
<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) Replace Sharon Moore

CHANGE AUTHORIZED BY Michael R. Smith DATE Feb 17, 93

CHANGE APPROVED BY _____ DATE _____

FILED
 SHAW
 CLERK
 93 FEB 22 AM 11:15
 BY _____
 PRINTED

TO: PAYROLL DEPARTMENT

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

EFFECT 2-1-93
(DATE & TIME)

EMPLOYEE PAULA RUSSELL

SOCIAL SECURITY NO _____ CLOCK NO 490

VOL 40 PG 204

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	4.97 per hr	6.00 per 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 _____ UNTIL _____
(DATE) (DATE)
- OTHER (EXPLAIN) _____

FILED
 REX A. SHAW
 COUNTY CLERK
 99 FEB 22 AM 11:15
 100 N. 17th St.
 DENVER, CO 80202

FUND 28 (FED. GRANT)

CHANGE AUTHORIZED BY Joyce Morrison DATE 2-13-93

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT

VOL 40 PG 305

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

EFFECT 1-28-93
(DATE & TIME)

EMPLOYEE Wayne Smith

SOCIAL SECURITY NO _____ CLOCK NO 508

THE CHANGE(S)

✓ CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input type="checkbox"/> RATE		4.9
<input type="checkbox"/>		#4.97/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 POSITION
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

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

OTHER (EXPLAIN) Correction: Original rate sheet did not have hourly rate on it.

CHANGE AUTHORIZED BY [Signature] DATE 2-10-93

CHANGE APPROVED BY _____ DATE _____

FILED
BEX A. SHAW
COUNTY CLERK
FEB 22 AM 11:15
COUNTY CLERK

TO PAYROLL DEPARTMENT

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

EFFECT 1-28-93
(DATE & TIME)

EMPLOYEE Calvin Green

SOCIAL SECURITY NO _____ CLOCK NO 510

VOL 50 PG 236

THE CHANGE(S)

✓ CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input type="checkbox"/> RATE		<u>4.9</u>
<input type="checkbox"/>		<u>4.97/HR.</u>

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 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 type="checkbox"/> MERIT INCREASE | <input type="checkbox"/> LAYOFF |
| <input type="checkbox"/> UNION SCALE | <input type="checkbox"/> DISCHARGE |

FILED
 REVA. SHAW
 CIVIL CLERK
 3-1-93 2 PM 11:15

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

OTHER (EXPLAIN) Correction, Original rate sheet did not have hourly rate on it.

CHANGE AUTHORIZED BY [Signature] DATE 2-10-93

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT

VOL 40 PG 307

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

EFFECT 1-28-93
(DATE & TIME)

EMPLOYEE George Glenn

SOCIAL SECURITY NO _____ CLOCK NO 509

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		<u>4.9</u>
<input type="checkbox"/>		<u>#4.97/HR</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) Correction: Original rate sheet did not have hourly rate on it.

CHANGE AUTHORIZED BY David Boyd DATE 2-10-93

CHANGE APPROVED BY _____ DATE _____

FILED
REX A. SHAW
COUNTY CLERK
JAN 22 11:15 AM '93

G. J.

Galen Rosenow
15615 Boulder Creek
San Antonio, TX 78247
February 22, 1993

ATTACHMENTS

- 1 **January 16, 1992** **Received my first notice of delinquent taxes.**
- 2 **February 19, 1992** **Request and reply for owner of record and mailing address.**
- 3 **February 26, 1992** **Reply because I asked my daughter to "Talk with the tax office".**
- 4 **March 11, 1992** **Letter to Mr. Smith explaining the situation and an offer to pay three years and a request why a variance in tax from year to year.**
- 5 **September 19, 1992** **Notice of delinquent taxes from CALAME LINEBARGER GRAHAM & PEÑA.**
- 6 **September 28, 1992** **My reply, requesting a prompt solution, I wanted to resolve the tax question — no reply.**
- 7 **November 12, 1992** **Follow up letter, requesting a reply and request to resolve the tax question — no reply.**
- 8 **November 23, 1993** **Reply from Louise Stracener to my September 28 letter.**
- 9 **January 1993** **Received yearly delinquent tax notice.**
- 10 **Property Tax Code** **Chapter 33, Subsection 33.04 — Notice of Delinquency**

a statement of the taxes due as of 16 JAN 1992 based upon the tax
ads of the Upshur County Tax Office

This document is not a tax certificate and does not absolve a taxpayer from tax
liability in any way. Should this document be found to be in error it may be
corrected by the collection office. Responsibility to pay taxes remains with
the taxpayer as outlined in the Texas Property Tax Code.

FOR THE PROPERTY OWNED BY: ROSENOW, GALEN 30069
15615 BOULDER CREEK ST
SAN ANTONIO, TX 78247-2936

PROPERTY: R43409 S178-S09-C36-BLW1LT28
GLADEWATER LAKE S178 (A8,A489,A427), BLOCK W1, LOT 28

ENTITY	YEAR	STATEMENT ID	TAX DUE	PENALTY&INT	ATTORNEY FEE	TOTAL DUE
230	82	43409	38.40	46.08	12.67	97.15
230	83	18452	16.00	17.28	4.99	38.27
230	84	18882	18.43	17.69	5.42	41.54
230	85	31227	64.32	54.03	17.75	136.10
230	86	34917	82.72	59.56	21.34	163.62
230	87	36265	82.72	49.64	19.85	152.21
230	88	40351	78.40	37.63	17.40	133.43
230	89	43866	78.40	28.22	15.99	122.61

Tax Due for Property "R43409" if paid before 2/01/92: \$884.93

VOL 40 PG 310

Galen Rosenow
15615 Boulder Creek
San Antonio TX 78247

Upshur County Appraisal District
P. O. Box 280, ATTN: Louise
Gilmer TX 75644
February 19, 1992

Subject: PROPERTY ID: R43409
GLADEWATER LAKE S178 (A8,A489,A427),
BLOCK W1, LOT 28

Dear Louise,

I recently received a "Statement of Taxes Due" from Upshur County for the years 1982-1989. I need some information concerning these years and the subject property.

1. For the years 1982-1989 who was the "Owner of record" as listed on the tax roll?
2. To what name and address was the "Notice of appraised Value" being mailed?

I am trying to determine why 1991 was the first year that I received a "Statement of Taxes" and a "Notice of appraised Value". Your help would be appreciated.

Thank You,



Galen J. Rosenow

It appears that your address was found at the time lot 29 was transferred to new owner -

Mr. Rosenow.

The lot has been in your name since 1981 (our records only go back that far) with an incorrect address. We have no return mail attached to the card, therefore no way of knowing that the address was incorrect. Upshur County does the collections but have never sent any return mail.

*Thank,
Louise Stracene*

Upshur County Appraisal District

P.O. Box 280
Gilmer, Texas 75644
(903) 843-3041

VOL 40 PG 311

BOARD OF DIRECTORS

Charles Tefteller, Chairman
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CHIEF APPRAISER
LOUISE STRACENER, CTA, RPA, CSTA

February 26, 1992

Galen Rosenow
15615 Boulder Creek Street
San Antonio TX 78247-2936

Dear Mr. Rosenow,

As I explained in my hand written note, the mail has been sent to the same address in Gladewater, Texas since 1982. No mail for you has ever been returned to this office. It is our policy to take the address completely off after the second return.

A recent transfer of Lot 29 to another person alerted us to a different address. This seems to be how you were contacted in 1991.

I am sending this letter at the request of your daughter who visited this office today.

Sincerely,

Louise Stracener

Louise Stracener

LS/dc

VOL 40 PG 312

Galen Rosenow
15615 Boulder Creek
San Antonio TX 78247

Micheal L. Smith, Tax Assessor-Collector
Upshur County
P. O. Box 730
Gilmer TX 75644
March 11, 1992

Subject: PROPERTY ID: R43409
GLADEWATER LAKE S178 (A8,A489,A427),
BLOCK W1, LOT 28

Dear Mr Smith,

I recently received the enclosed "Statement of Taxes Due" for the subject property for the years 1982-1989. Neither the statement nor the envelope had a return address - I can only assume that the statement came from your office. This is my first notification of taxes due for the years 1982-1989. I have talked with the State Tax Office and realize that if I own or lease certain property I am responsible for the tax. However, I was advised that I was to be provided a "Notice of Appraised Value" for the year that the tax is levied. The first "Notice of Appraised Value" I received from the Upshur County Appraisal District was for the year 1991. I contacted the Upshur County Appraisal District to find out why I did not receive the "Notice of Appraised Value".

It is my understanding that my name was listed as the owner of record and was on the tax roll, however when the records were transcribed, on or about the year 1981, the address was incorrectly transcribed. The city was changed from San Antonio to Gladewater, therefore the correspondence was going to a nonexistent address in Gladewater. During the same years I received correspondence concerning the subject property from the Gregg Appraisal District, the City of Gladewater, and Kilgore Junior College. All taxes and lease fees were paid in a timely manner.

It appears that this was a clerical error and based on my telephone conversation with the State Tax Office I would be responsible for three years (1990, 1989, 1988) back taxes with a waiver of fees, penalties, and interest. I do question the amount of tax - \$78.40 for 1989 vs \$30.29 for 1991. The tax year 1990 was not listed.

Thank You,

Galen J. Rosenow

LAW OFFICES
WILLIAMSON & VAN PELT
in association with
CALAME LINEBARGER GRAHAM & PEÑA
P.O. BOX 2032
TYLER, TEXAS 75710

VOL 40 PG 213

**NOTICE OF DELINQUENT TAXES
UPSHUR COUNTY**

September 19, 1992

ROSENOW, GALEN
15615 BOULDER CREEK ST
SAN ANTONIO, TX 78247

TOTAL AMOUNT DUE	
If paid in SEP 1992:	\$927.20
If paid in OCT 1992:	\$932.50
If paid in NOV 1992:	\$937.77
If paid in DEC 1992:	\$943.06

0548 / 000013055 / 000021016 / S5138
ACCOUNT NUMBER: R43409
YEARS DUE: 1982-1989
PROPERTY DESCRIPTION: GLADEWATER LAKE S178 (A8,A489,A427), BLOCK W1, LOT
28

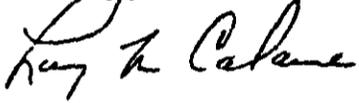
We represent UPSHUR COUNTY in the collection of delinquent taxes. As of *** September 1, 1992 ***, the tax records indicate a delinquency exists on your property as shown in the information at the top of this notice.

Suits will soon be filed against persons who have not paid their delinquent taxes. Once suit has been filed, a person must then pay the substantial additional expense of court costs in addition to the taxes, penalty and interest. Also, penalty and interest increase monthly until the taxes are paid.

No further action will be taken provided payment is made immediately. Payment should be made to UPSHUR COUNTY, MICHAEL L. SMITH, P. O. BOX 730, GILMER, TX, 75644.

Please disregard this notice if you have paid these taxes since September 1, 1992.

Very truly yours


Larry Calame

LMC/ds

PLEASE RETURN THIS LETTER TO THE TAX OFFICE WITH YOUR PAYMENT

VOL 40 PG 314

Galen J. Rosenow
15615 Boulder Creek
San Antonio, TX 78247

TO: CALAME LINEBARGER GRAHAN & PENA
ATTN: Larry Calame
P. O. Box 2032
Tyler, TX 75710

COPY TO: Michael L. Smith, Tax Assessor-Collector
Upshur County
P. O. Box 730
Gilmer, TX 75644

SUBJECT: ACCOUNT NUMBER: R43409
GLADEWATER LAKE S178 (A8,A489,A427) BLOCK W1, LOT 28
September 28, 1992

Dear Mr. Calame,

I made an attempt to settle this question of delinquent taxes in March 1992 but did not receive a reply from Mr. Smith.

In January 1992 I received the enclosed "Statement of Taxes Due" for the subject property for the years 1982-1989. Neither the statement nor the envelope had a return address (Attachment 1). I questioned the Upshur County Appraisal District - why I had not received tax statements (Attachment 2). I then sent Mr. Smith a letter stating my position concerning these taxes (Attachment 3) - I did not receive an answer to this letter - the letter was sent certified mail with a return receipt (Attachment 4).

It appears that a clerical error was made and based on my telephone conversation with the State Tax Office I would be responsible for three years (1990, 1989, 1988) back taxes with a waiver of fees, penalties, and interest.

A prompt resolution of this matter would be appreciated.

Thank You,

Galen J. Rosenow

Five Attachments:

- Attachment 1 - STATEMENT OF TAXES DUE, Page 1, January 16, 1992
- Attachment 2 - Letter, Upshur County Appraisal District, February 19, 1992
- Attachment 3 - Letter, Micheal L. Smith, March 11, 1992
- Attachment 4 - Return Receipt
- Attachment 5 - Your Letter, September 19, 1992

Galen J. Rosenow
15615 Boulder Creek
San Antonio, TX 78247
November 12, 1992

VOL 40 PG 315

TO: CALAME LINEBARGER GRAHAM & PEÑA
ATTN: Larry Calame
P. O. Box 2032
Tyler, TX 75710

COPY TO: Michael L. Smith, Tax Assessor-Collector
Upshur County
P. O. Box 730
Gilmer, TX 75644

SUBJECT: My letter September 28, 1992
Reference ACCOUNT NUMBER: R43409
GLADEWATER LAKE S178 (A8,A489,A427) BLOCK W1, LOT 28

Dear Mr. Calame,

I replied to your letter of September 19, 1992 concerning the question of delinquent taxes on the subject property. You received my letter on October 2, 1992 and Michael L. Smith, Tax Assessor-Collector, received a copy on October 6, 1992.

I attempted to resolve this problem with Michael L. Smith, Tax Assessor-Collector, by letter on March 11, 1992. The letter to Mr. Smith was ignored and I have not received a reply from you.

It is my desire to have a prompt resolution of this tax question. I would appreciate a reply to my September 28, 1992 letter.

Thank You,

Galen J. Rosenow

TO: CALAME LINEBARGER GRAHAN & PENA
ATTN: Larry Calame
P. O. Box 2032
Tyler, TX 75710

COPY TO: Michael L. Smith, Tax Assessor-Collector
Upshur County
P. O. Box 730
Gilmer, TX 75644

SUBJECT: ACCOUNT NUMBER: R43409
GLADEWATER LAKE S178 (A8,A489,A427) BLOCK W1, LOT 28
September 28, 1992

Dear Mr. Calame,

I made an attempt to settle this question of delinquent taxes in March 1992 but did not receive a reply from Mr. Smith.

In January 1992 I received the enclosed "Statement of Taxes Due" for the subject property for the years 1982-1989. No return address (Attachment 1). I am in District - why I had not received tax return receipt (Attachment 4).
Smith a letter stating my position cannot receive an answer to this letter - return receipt (Attachment 4).

It appears that a clerical error was made with the State Tax Office I would be required to pay back taxes with a waiver of fees, penalties.

A prompt resolution of this matter would be appreciated.

Thank You,

Galen J. Rosehow
Galen J. Rosehow

Five Attachments:
Attachment 1 - STATEMENT OF TAX
Attachment 2 - Letter, Upshur County
Attachment 3 - Letter, Michael L. Smith
Attachment 4 - Return Receipt
Attachment 5 - Your Letter, September 28, 1992

From the Desk of
Louise Stracener

*Mr. Rosehow,
All that I can tell you is
the same as I did earlier,
that your mail was never
returned to us by the postal
service, therefore your letter
was just notice of incorrect
address. Your current address
was from deed on sale of lot 29.
Thank you,
Louise Stracener*

... ..

FOR THE PROPERTY OWNER BY: RISEWELL, CALSH 90989
 15215 SHOULDER CREEK ST
 SAN ANTONIO, TX 78247-2928

PROPERTY: 4100 9108-900-0735-BLWILF26
 PLACERALBA LAKE S1.5 (AS, A489, A127), BLOCK W1, LOT 28

ENT	YEAR	STATEMENT ID	TAX DUE	PENALTY	INT	ATTORNEY FEE	TOTAL
250	82	43409	38.40		50.30	13.31	102.01
250	83	13171	36.00		11.04	3.26	50.30
250	84	15232	12.15		19.72	5.77	37.64
250	85	21277	54.82		51.11	13.31	119.24
250	86	3491	2.72		33.68	22.71	39.11
250	87	36287	2.7		52.73	21.22	56.65
250	88	40351	75.40		46.25	18.70	140.35
250	89	43265	78.40		36.25	17.20	131.85

Tax Due for Property "R43409" if paid before 1/01/92: 654.00

County Use
 Portions not
 reproduced

§ 33.02

Note 1

Ann Civ.St. art. 7345c (repealed) and in making such payments taxpayer reduced amount of taxes he owed and individual was then entitled, on or before November 1, 1941, to pay remainder of such taxes and have interest and penalties on taxes delinquent prior to July 1, 1940, released under terms of Vernon's Ann.Civ.St. art. 7336a (repealed). Op.Atty Gen.1941, No. 0-3997

§ 33.03. Delinquent Tax Roll

Each year the collector for each taxing unit shall prepare a current and a cumulative delinquent tax roll for the unit.

Acts 1979, 66th Leg., p. 2290, ch. 841, § 1, eff. Jan. 1, 1982.

Historical and Statutory Notes

Prior Laws:
Rev Civ.St 1879, art 4744.
G.L. vol 10, pp. 520, 780, 1184.
Acts 1893, 23rd Leg., p. 90.
Rev Civ.St 1895, art 5170
Acts 1895 24th Leg., p. 50.
Acts 1897, 25th Leg., p. 132
Rev Civ St 1911 arts. 7621, 7685
Acts 1913, 33rd Leg., p. 380, ch 172, § 42
Acts 1917, 35th Leg., p. 184, ch. 87, § 41
Acts 1923, 38th Leg., 2nd C.S., p. 39
Acts 1925, 39th Leg., p. 104, ch. 25, § 72.
Acts 1931, 42nd Leg., p. 196, ch. 117
Acts 1931, 42nd Leg., p. 741, ch. 290, § 1.

Delinquent taxes paid to county tax collector in installments or partial payments under statutory authority as it existed prior to March 1 1939, and deposited in county depository constitute public funds and were to be paid county and state treasurer in such proportions as was necessary to satisfy the taxes, penalties and interest due on each. Op.Atty Gen 1940 No. V-514.

Acts 1931, 42nd Leg., Spec.L., p. 2 ch 2 § 4
Acts 1932, 42nd Leg., 3rd C.S., p. 63 ch 2 § 34
Acts 1934, 43rd Leg., 4th C.S., p. 36, ch 1 § 2
Acts 1939, 46th Leg., p. 654, § 3
Acts 1971, 62nd Leg., p. 110 ch 58 § 4
Acts 1971, 62nd Leg., p. 805 ch 84 § 4
Acts 1977, 65th Leg., p. 1537, ch 627 § 4
Vernon's Ann Civ.St arts. 7263, 7321 714
7677, 7880-72, 8263c, § 34
V.T.C.A. Water Code, §§ 51 589 542
55 607, 58 589, 63.293

Library References

Taxation ¶560.
WESTLAW Topic No. 371
C.J.S. Taxation §§ 672, 1088.

Notes of Decisions

Contracts for preparation of records 4
Elimination of delinquent items 3
School districts, generally 1
Tax collectors compensation 2

particular parcel of land Crosby County title Co v McDermott (Civ.App.1926) 281 S.W. 293

Because Guadalupe County tax assessor-collector is required by this section to prepare list of delinquent taxpayers and to provide with information of all motor vehicles registered in county, he has no authority to collect fees therefore either in public or private capacity. Op.Atty Gen 1985, No. JM-264

3. Elimination of delinquent items

A county had no authority to eliminate from its tax rolls items of delinquent and installment taxes which had become delinquent since December 31, 1919, even though it was demonstrated, that there was no known person to whom such could be collected or no known property from which such could be made. Op. Atty Gen 1942, No. 0-4679

1 School districts, generally

When independent school district had determined to appoint its own assessor and collector of taxes, withdrawing such duties from hands of county tax assessor-collector, delinquent taxes should be transferred to rolls of school district and collected by school district's collector. Op.Atty.Gen 1940, No. 0-2335

2. Tax collectors compensation

Tax collector may recover for services in making certified list from tax records in his office showing taxes paid and by whom on

PROPERTY TAX CODE

Title 1

DELINQUENCY

Ch. 33

§ 33.04

4 Contracts for preparation of records
Commissioners' court had no authority to contract for making of delinquent tax list Wallace v Commissioners' Court of Madison County (Civ App 1926) 281 S.W. 593

When a person who has contracted with the assessor-collector to compile delinquent tax records, employs members of such tax assessor-collector's force to help with compiling of

such records after regular office hours, such employees are entitled to retain the compensation paid them for their help. Op.Atty.Gen. 1944, No. 0-5780.

An assessor collector was authorized to contract with an individual or a corporation to compile delinquent tax records. Op.Atty.Gen. 1958, No. WW-535.

§ 33.04. Notice of Delinquency

(a) At least once each year the collector for a taxing unit shall deliver a notice of delinquency to each person whose name appears on the current delinquent tax roll. However, the notice need not be delivered if:

(1) a bill for the tax was not mailed pursuant to the authorization provided by Section 31 01(f) of this code; or

(2) the collector does not know and by exercising reasonable diligence cannot determine the delinquent taxpayer's name and address.

(b) In addition to the notice required by Subsection (a) of this section, the collector for each taxing unit in each year divisible by five shall deliver by mail a written notice of delinquency to each person who owes a tax that has been delinquent more than one year and whose name and mailing address are known to the collector or can be determined by the exercise of reasonable diligence. He shall state in the notice the amount of the delinquent tax, penalties, and interest due, the description of the property on which the tax was imposed, and the year for which the tax is delinquent. If the person owes delinquent taxes for more than one year or on more than one property, the collector may include all the delinquent taxes the person owes in a single notice.

(c) Penalties and interest on a tax delinquent more than five years or a multiple of five years are cancelled and may not be collected if the collector has not delivered the notice required by Subsection (b) of this section in each year that is divisible by five following the date on which the tax first became delinquent for one year.

Acts 1979, 66th Leg., p. 2290, ch. 841, § 1, eff. Jan. 1, 1982. Amended by Acts 1981, 67th Leg., 1st C.S., p. 168, ch. 13, § 128, eff. Jan. 1, 1982; Acts 1985, 69th Leg., ch. 761, § 1, eff. Aug. 26, 1985.

Historical and Statutory Notes

The 1981 amendment in the first sentence of Subsec. (c) following "of this section by", deleted "certified" and following "mail", deleted "return receipts requested."

The 1985 amendment in subsec. (a), inserted "or" in the second sentence, added subd. (1), in subd. (1) substituted "Section 31 01(f)" for "Subsection (f) of Section 31 01" and added "or", and added subd. (2); in subsec. (b), inserted "by mail" preceding "a

written notice of delinquency" and added "and whose name and mailing address are known to the collector or can be determined by the exercise of reasonable diligence", deleted former subsec. (c), and redesignated former subsec. (d) as subsec. (c). Prior to its deletion, former subsec. (c) read:

"The collector shall deliver the notice required by Subsection (b) of this section by mail if the collector knows or by exercising reason-

VOL 40 PG 318

10



Compu|Type

P.O. Box 1301
Gilmer, TX 75644
(903) 797-6250

VOL 40 PG 319

2-10-93

RONNIE MITCHELL
UPSHUR COUNTY
GILMER, TX 75644

RONNIE,

THE FOLLOWING IS A QUOTE ON A COMPUTER SYSTEM THAT SHOULD MEET ALL THE REQUIREMENTS PER OUR DISCUSSION ON 2-9-93.

A DEDICATED SERVER: IBM 486SX WITH A 25MHZ PROCESSOR
170MB HARD DRIVE
4 MB RAM MEMORY
14" VGA COLOR MONITOR

THIS UNIT WILL WORK AS THE CPU TO SUPPORT THREE OTHER UNITS THAT WILL ACT AS WORK STATIONS AND WILL HAVE THE OPTION OF WORKING AS A STAND ALONE COMPUTER.

ADDITION EQUIPMENT THAT WILL BE NEEDED TO LINK THESE PIECES OF EQUIPMENT TOGETHER ARE:

4 ea. NETWORK SUPPORT CARDS (ONE FOR EACH COMPUTER)
NETWORK SOFTWARE
CABLING (RG-58) APPROX 60 FEET

TIME TO SET UP EQUIPMENT AND TO INSTALL SOFTWARE AND SYSTEM CHECK OUT. APPROX 8 HOURS.

ALL NEW EQUIPMENT WILL BE COVERED BY A ONE YEAR WARRANT ON ALL PARTS AND LABOR.

Thanks J. Macker

YOUR COST	\$ 3595.00
FREIGHT	N/C
TAX	N/A
INSTALLATION	INCLUDED
TOTAL	\$ 3595.00

THANKS FOR THE OPPORTUNITY TO QUOTE ON THE ABOVE SYSTEM.

"COMPUTER SYSTEMS DESIGNED FOR YOUR BUSINESS NEEDS."

