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CLERK OF COURTS
COUNTY CLERK

**NOTICE OF MEETING OF THE
COMMISSIONERS COURT OF POLK COUNTY, TEXAS # 78**

Notice is hereby given that a Regular meeting of the above named Commissioners' Court will be held on Friday, October 11, 1996 at 10 00 a.m in the County Courthouse, Livingston, Texas, at which time the following subjects will be discussed, to wit.

SEE ATTACHED AGENDA

Dated Tuesday, October 8, 1996

Commissioners' Court of Polk County, Texas

By John P. Thompson
John P. Thompson, County Judge

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of Polk County Commissioners Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said notice in the County Courthouse of Polk County, Texas, at a place readily accessible to the general public at all times on Tuesday, October 8, 1996, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Notice filed, Tuesday, October 8, 1996

Barbara Middleton, County Clerk

By Barbara Middleton



POLK COUNTY, TEXAS

COMMISSIONERS COURT AGENDA

for: FRIDAY - OCTOBER 11, 1996 - 10 00 a.m.

CALL TO ORDER

- 1 WELCOME - Public Comments & Discussion
- 2 INFORMATIONAL REPORTS
 - A "COATS FOR KIDS" Proclamation
 - B Report on Polk County's Risk Management Program / Inspection results
- 3 CONSIDER APPROVAL OF MINUTES for meeting of, September 16 & 23, 1996

OLD BUSINESS (TABLED FROM LAST AGENDA)

- 4 CONSIDER ACTION PERTAINING TO BID #96-11 01 through #96-14 05 "Road Materials" AND #96-16 "TIRES & TUBES"

NEW BUSINESS

- 5 CONSIDER REQUEST FROM MUSTANG PIPELINE FOR COUNTY ROAD CROSSING
- 6 CONSIDER APPROVAL OF CONTRACT RENEWAL WITH AMERICAN 3CI (Medical waste disposal - County Jail)
- 7 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID#96-17 "PURCHASE OF TWO(2) MAINTAINERS, WITH SALE/TRADE-IN OF TWO(2) USED MAINTAINERS, PCT 1"
- 8 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID#96-18 "PURCHASE OF FOUR(4) MAINTAINERS, WITH SALE/TRADE-IN OF FOUR(4) USED MAINTAINERS, PCT 4"
- 9 CONSIDER RESOLUTION SUPPORTING CHAMBERS COUNTY NARCOTICS TASK FORCE
- 10 CONSIDER OFFERS TO PURCHASE COUNTY TAX FORECLOSURE PROPERTIES - PCT #1, Putnams Landing #1, Lot 13 and Putnams Landing #1, Lot 137

~

STATE OF TEXAS }
COUNTY OF POLK }

DATE OCTOBER 11, 1996
REGULAR CALLED MEETING
ALL PRESENT

BE IT REMEMBERED ON THIS THE 11th DAY OF OCTOBER, 1996
THE HONORABLE COMMISSIONERS COURT MET IN REGULAR CALLED MEETING
WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT, TO WIT
JOHN P THOMPSON, COUNTY JUDGE, PRESIDING B E "SLIM" SPEIGHTS,
COMMISSIONER PCT#1, BOBBY SMITH, COMMISSIONER PCT#2, JAMES J "BUDDY"
PURVIS, PCT#2, R R "DICK" HUBERT, COMMISSIONER PCT#4, AND BARBARA
MIDDLETON COUNTY CLERK, WHEN & WERE AMONG OTHER PROCEEDINGS HAD,
CONSIDERED AND PASSED

- 1 MEETING WAS CALLED TO ORDER BY JUDGE JOHN P THOMPSON AT
10 00 AM
PUBLIC COMMENTS
SCHEILAH BUXTON, WIGGINS VILLAGE #1 P O A, PRESENTED
COMMISSIONER BOBBY SMITH WITH A CERTIFICATE OF APPRECIATION
- 2 INFORMATIONAL REPORTS
 - a "COATS FOR KIDS"
MOTIONED BY BOBBY SMITH, SECONDED BY B E "SLIM" SPEIGHTS TO
APPROVE A PROCLAMATION DESIGNATING OCTOBER AS "COATS FOR KIDS"
MONTH
ALL VOTING YES (SEE ATTACHED)
 - b JOHN McDOWELL GAVE A REPORT ON RISK MANAGEMENT THE COUNTY
WAS NOT ABLE TO ACQUIRE FUNDING FOR THE RECENT STORM DAMAGES
BUT WE MAY BE ABLE TO GET FUNDS FROM THE STATE OF TEXAS THE
SMALL BUSINESS ADMINISTRATION WILL BE ABLE TO HELP WITH LOW
INTEREST LOANS
 - c COUNTY CLERK GAVE A REPORT ON THE UPCOMING ELECTION,
NOVEMBER 5, 1996 REPORTED THAT MAIL OUTS ARE OVER 1600 &
RECEIVING REQUEST OF 75 OR MORE PER DAY
- 3 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "BUDDY" PURVIS, TO
APPROVE MINUTES FOR MEETING OF SEPTEMBER 16th & 23rd, 1996
ALL VOTING YES
- 4 BID #96-16 "TIRES AND TUBES"
MOTIONED BY BOBBY SMITH, SECONDED BY R.R "DICK" HUBERT TO AWARD
THE CONTRACT FOR TIRES AND TUBES TO GRAY WHOLESALE WAREHOUSE IN
HOUSTON, TEXAS, FY-1997
ALL VOTING YES

BIDS #96-11 01 THROUGH #96-14 05 "ROAD MATERIALS" ***

a PRECINCT #2

MOTIONED BY BOBBY SMITH, SECONDED BY R R "DICK" HUBERT TO
REJECT BID#96-12 01 - CRUSHED GLAUCONITE
REJECT BID #96-12 02 CHIP & SEAL

ALL VOTING YES

MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "BUDDY" PURVIS
TO AWARD BID#96-12 05 TO GIFFORD HILL & CO FOR SANDSTONE &
RIVERSIDE ROCK FOR KALICHE (PRIMARY SOURCE)
& ALSBROOK CONSTRUCTION (SECONDARY SOURCE)
ALL VOTING YES

MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "BUDDY" PURVIS
TO AWARD BID #96-12 03 TO PAVERS SUPPLY CO FOR LIMESTONE BASE
ALL VOTING YES

MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "BUDDY" PURVIS
TO AWARD BID#96-12 04 PAVERS SUPPLY CO FOR HOT/COLD MIX
ALL VOTING YES

b PRECINCT #1

MOTIONED BY B E "SLIM" SPEIGHTS, SECONDED BY R R "DICK" HUBERT TO
TAKE NO ACTION ON BID #96-11 01 - CRUSHED GLAUCONITE
REJECT BID #96-11 02 - CHIP & SEAL

AWARD BID #96-11 03 - LIMESTONE BASE TO REDLAND STONE PRODUCTS

AWARD BID #96-11 04 - HOT/COLD MIX (and related) TO PAVERS SUPPLY CO

AWARD BID #96-11 05 - SANDSTONE TO GIFFORD-HILL & CO

KALICHE TO RIVERSIDE ROCK (PRIMARY SOURCE)
& ALSBROOK CONSTRUCTION(SECONDARY SOURCE)
ALL VOTING YES

c PRECINCT #3

MOTIONED BY JAMES J "BUDDY" PURVIS SECONDED BY BOBBY SMITH TO
TAKE NO ACTION ON BID #96-03 01 CRUSHED GLAUCONITE

REJECT BID #96-13 02 CHIP & SEAL

AWARD BID #96-13 03 LIMESTONE BASE TO CLARKE BROS MATERIALS

AWARD BID #96-13 04 HOT/COLD MIX TO EAST TEXAS ASPHALT CO

AWARD BID #96-13 05 OTHER BASE MATERIALS TO GIFFORD HILL & CO

ALL VOTING YES

d PRECINCT #4

MOTIONED BY R R "DICK" HUBERT, SECONDED BY JAMES J "BUDDY" PURVIS
TAKE NO ACTION ON BID #96-14 01 - CRUSHED GLAUCONITE,

REJECT BID #96-14 02 - CHIP & SEAL

AWARD BID #96-14 03 - LIMESTONE BASE TO GRISHAM DOZER
& EQUIPMENT

AWARD BID #96-14 04 - HOT/COLD MIX TO PAVERS SUPPLY CO

AWARD BID #96-14 05 - SANDSTONE TO GIFFORD-HILL & CO

ALL VOTING YES & KALICHE TO RIVERSIDE ROCK

ALL BIDS TO BE FINALIZED ON NEXT COURT DATE 10 28-96

CHIP & SEAL BIDS REJECTED - COURT TO RE-ADVERTISE FOR BIDS

- 5 MOTIONED BY JAMES J "BUDDY" PURVIS, SECONDED BY B E "SLIM" SPEIGHTS TO APPROVE REQUEST FROM MUSTANG PIPELINE FOR COUNTY ROAD CROSSINGS
ALL VOTING YES (SEE ATTACHED)
- 6 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "BUDDY" PURVIS TO APPROVE CONTRACT RENEWAL WITH AMERICAN 3CI (MEDICAL WASTE DISPOSAL-COUNTY JAIL)
ALL VOTING YES
- 7 BID #96-17 PRECINCT #1
 - a MOTIONED BY B E "SLIM" SPEIGHTS, SECONDED BY BOBBY SMITH TO APPROVE PURCHASE FROM MUSTANG TRACTOR, OF TWO (2) MAINTAINERS, AT \$126 000 00 EACH, WITH SALE/TRADE-IN OF TWO (2) USED MAINTAINERS FOR \$98,700 00
ALL VOTING YES
 - b MOTIONED BY B E "SLIM" SPEIGHTS, SECONDED BY BOBBY SMITH APPROVE ISSUANCE OF TIME WARRANTS IN THE AMOUNT OF \$153,300 00, FIVE YEAR FINANCING WITH 5 65% INTEREST
ALL VOTING YES
- 8 BID #96-18 PRECINCT #4
MOTIONED BY R R "DICK" HUBERT, SECONDED BY B E "SLIM" SPEIGHTS TO APPROVE PURCHASE FROM MUSTANG TRACTOR, OF FOUR (4) MAINTAINERS, AT \$126 000 00 EACH, WITH SALE/TRADE-IN OF (3) USED MAINTAINERS, TO MUSTANG FOR \$190 000 00 AND (1) MAINTAINER TO WINDHAM & SONS FOR \$64 950 00, AND APPROVE ISSUANCE OF TIME WARRANTS IN THE AMOUNT OF \$ 267 412 80 WITH FIVE YEAR FINANCING, (PAYING OFF BALANCE OWED ON (1) MAINTAINER)
ALL VOTING YES
- 9 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "BUDDY" PURVIS TO APPROVE RESOLUTION SUPPORTING CHAMBERS COUNTY NARCOTICS TASK FORCE
ALL VOTING YES (SEE ATTACHED)
- 10 MOTIONED BY B E "SLIM" SPEIGHTS, SECONDED BY R.R "DICK" HUBERT TO ACCEPT OFFER TO PURCHASE COUNTY TAX FORECLOSURE PROPERTIES, PRECINCT #1 - PUTNAMS LANDING SEC #1, LOT 13 & PUTNAMS LANDING SEC #1, LOT 137
ALL VOTING YES

11 MOTIONED BY BOBBY SMITH, SECONDED BY R R "DICK" HUBERT TO APPROVE PAYMENT OF BILLS, BY SCHEDULE & ONE ADDENDUM
ALL VOTING YES

DATE	AMOUNT	CHECK NUMBERS
9-24-96	139,054 36	118709-118864
9-30-96	134,634 43	118865-118908
10-03-96	310 00	118909
10-04-96	224,650 41	118910-118921
10-06-96	29,471 29	118922-118943
10-08-96	155 787 26	118944-119073
10-08-96	41,083 35	119074-119117
10-10-96	65 243 75	119118-119215
ADDENDUM	3 992 00	SEE FUTURE SCHEDULE

12 MOTIONED BY BOBBY SMITH, SECONDED BY B E "SLIM" SPEIGHTS TO APPROVE PERSONNEL ACTION FORMS, AND REQUEST JUDGE THOMPSON TO WRITE A LETTER OF RECOMMENDATION FOR JIM McALISTER, WHO HAS RESIGNED AS ADMINISTRATOR OF ENVIRONMENTAL SERVICES
ALL VOTING YES (SEE ATTACHED)

13 MOTIONED BY R R "DICK" HUBERT, SECONDED BY BOBBY SMITH TO ACCEPT CONVEYANCE OF CERTAIN PROPERTY OF SECHREST WEBSTER ESTATE, TO POLK COUNTY FOR THE PURPOSE OF OPERATING A MUSEUM GENE BUSH ATTORNEY WILL RECORD DEED AND SUPPLY COURT WITH A RECORDED COPY
ALL VOTING YES (SEE ATTACHED)

14 MOTIONED BY R R "DICK" HUBERT, SECONDED BY B E "SLIM" SPEIGHTS TO ADJOURN COURT THIS 11th DAY OF OCTOBER, 1996
ALL VOTING YES


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST


BARBARA MIDDLETON, COUNTY CLERK



BILLY R NELSON, Sheriff
1733 N Washington
Livingston, Texas 77351
(409) 327-6810

LEWIS MILNER
Chief Deputy

SHERLENE BROWN
Adm Assistant

October 11, 1996

To Commissioner's Court
From Billy R. Nelson

Jail Population 75

Felones holding for trial 28

Misdemeanors holding for trial 7

Sentenced, Holding for transporting to TDC 16

Misdemeanors serving time 9

Felones serving time in Polk County Jail 3

Sent to TDC last 30 days 12

POLK COUNTY JAIL, INMATE SUPPORT RECORDS

FOOD & SUPPLIES FOR THE MONTH OF:

Sept. 1995

MEALS SERVED TO INMATES	<u>7286.00</u>
TOTAL FOOD EXPENSES FOR THE MONTH	<u>4605.33</u>
EXPENSE OF ONE MEAL	<u>1.63</u>
EXPENSE OF FEEDING ONE INMATE	<u>1.89</u>
COST OF SUPPLIES FOR THE MONTH	<u>358.38</u>
TOTAL EXPENDITURES FOR THE MONTH	<u>4963.70</u>

Tommy Walker
TOMMY WALKER,
JAIL ADMINISTRATOR

Billy Ray Nelson
BILLY RAY NELSON
POLK COUNTY SHERIFF



PROCLAMATION

Designating "COATS FOR KIDS" Month in Polk County, Texas

WHEREAS, this Commissioners Court is concerned with responding to the various needs of Polk County Citizens, and

WHEREAS, the Commissioners Court of Polk County recognizes the need to provide warm coats for the Children of Polk County,

WHEREAS, our Children can best be served through our schools, with the assistance of Principals and Counselors,

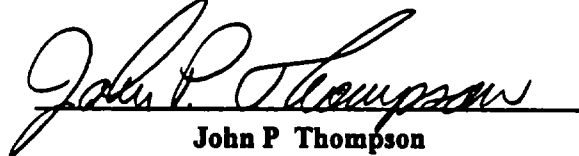
WHEREAS, the Commissioners Court desires to work with our area schools to provide as many "COATS FOR KIDS" as possible,

NOW, THEREFORE, I, John P Thompson, County Judge of Polk County, Texas, and we, the Commissioners of Polk County, do hereby proclaim November 1996, as

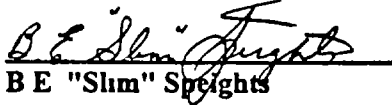
"COATS FOR KIDS MONTH" in Polk County

and call upon all of the Citizens of Polk County to recognize the needs of these youngsters and to participate in the special and valuable program

SIGNED AND PROCLAIMED THIS 11th DAY OF OCTOBER, 1996



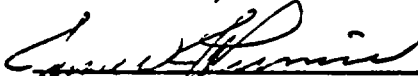
John P Thompson
County Judge, Polk County, Texas



B E "Slim" Speights
Commissioner, Precinct 1



Bobby Smith
Commissioner, Precinct 2



James J "Buddy" Purvis
Commissioner, Precinct 3



R.R. "Dick" Hubert
Commissioner, Precinct 4

Attest,



Barbara Middleton, County Clerk




Dear Sir

Concerning your request for permit to install a high pressure refined Liquid Petroleum 10 inch pipeline under county roadway in Polk County dated September 17, 1996 Said request is approved providing that the following stipulations are met

- 1 All federal specifications and requirements concerning placement of high pressure pipeline are met
- 2 All state DOT pipeline construction specifications and requirements concerning placement of high pressure pipeline are met
- 3 No less than 48 hours notice be given to the county commissioner whose roads are affected to allow sufficient time for on site inspection All work done under the authority of this permit will be subject to the final approval of Polk County Commissioners
- 4 That Mustang Pipeline Co Of Texas, any contractor or sub-contractor acting in their behalf will assume responsibility to repair and restore to its original state any roadway or county right-of-way damaged by any installation of said pipeline

So ordered this the 11th day of October, 1996 by Polk County Commissioners Court


John P. Thompson, County Judge
Acting on behalf of Polk County Commissioners Court

Attest


Barbara Middleton
County Clerk



FLUOR DANIEL WILLIAMS BROTHERS

Fluor Daniel Inc
605 Brock
P O Box 1195
Livingston TX 77351
Phone (409) 328 8200 Fax (409) 328 8251

October 11, 1996

Mr John E McDowell
Polk County Office Emergency Management
207 W Mill St
Livingston, TX 77351

**RE POLK COUNTY, TEXAS
MUSTANG PIPELINE COMPANY
10-INCH REFINED PETROLEUM PRODUCTS PIPELINE
R/W NO 'S 3P-34 5, 40 2, 45 6, 58, 62, 72 9
79, 84 & 86 3, POLK COUNTY, TEXAS
JOB NO. 11846401
LETTER OF NO OBJECTION FOR
COUNTY ROADS & WATER CROSSINGS**

Dear Mr McDowell

Mustang Pipeline Company (Mustang) hereby respectfully requests the County of Polk (Grantor), representing Road Precincts 1, 3, & 4 to approve this letter of no objection authorizing Mustang to construct, maintain, inspect and repair a 10-inch pipeline together with valves, air patrol markers, corrosion control equipment and appurtenances as may be necessary for the transportation of refined petroleum products across Polk County

Attached to this letter are the following supporting instruments

- 1 Supplemental Pipeline Data Sheet
- 2 Typical Road Crossing Plat
- 3 Vicinity Map Showing Location of each Crossing

Mustang proposes to construct the 10-inch pipeline from Mont Belvieu, Texas to Longview, Texas It will be approximately 185 miles in length Construction activities are scheduled to start the end of 1996

Mustang will follow all State DOT pipeline construction requirements for its road and water crossings All work done under the authority of this letter will be subject to the inspection and final approval of the granting authorities All the local commissioners have been contacted and shown the proposed route Each has stated they have no objections to the project. If you agree with Mustang's proposed construction plans, please have the proper authority sign this letter and date it at their earliest convenience

IN TESTIMONY WHEREOF, the Grantor herein has executed this letter of no objection
this 11th day of October, 1996

John Handley
[Signature]

COUNTY OF POLK
By *[Signature]*
Its County Judge

MUSTANG PIPELINE COMPANY
By *[Signature]*
Its Permit/License Agent

SUPPLEMENTAL PIPELINE DATA**1 GENERAL.**

1 1	Product Transported	Refined Petroleum Products
1 2	Nominal Pipe Size	10"
1 3	Design Pressure	1480 P S I G (ANSI 600)
1 4	Originating Point	Mont Belvieu, TX
	Terminating Point	Longview, TX

2 APPLICABLE DESIGN CODE.

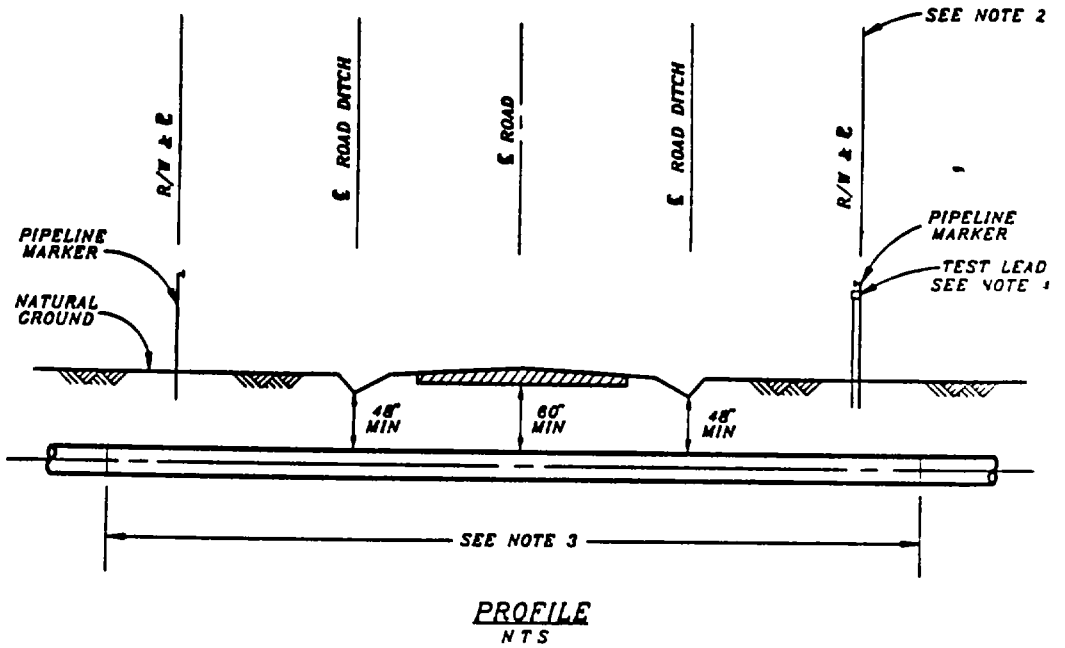
CFR Title 49, Part 195

3 PIPE DATA.

3 1	Size	10 75" O D
3 2	Wall Thickness	250 WT API- 5L-X60 ERW (Mainline & Sparsely populated crossings) 365 WT API- 5L-X60 ERW (Congested Crossings, including railroads, waterways, highways, etc)
3 3	Coating	Extruded Polyethylene, Mainline, plus 2" reinforced Concrete Coating at crossings Field Joints will be heat applied shrink sleeves.
3 4	Method of Joining	Weld, 100% X-Ray Inspection

4 Corrosion Protection.

Protective coatings and impressed- current cathodic protection.
Test leads at crossings, other selected locations



NOTES

- 1 CROSSING SHALL BE CONSTRUCTED IN ACCORDANCE WITH PERMIT REQUIRMENTS
- 2 BENDS SHALL NOT BE PERMITTED WITHIN THE ROAD R.O.W THE PIPE SHALL HAVE A MINIMUM OF 50 FT OF COVER EXCEPT UNDER THE ROAD DITCHES AS SHOWN
- 3 THE TYPE AND LENGTH OF PIPE FOR ROAD CROSSINGS SHALL BE AS SPECIFIED ON THE ALIGNMENT SHEET MAXIMUM JOINT LENGTHS SHALL BE USED TO MINIMIZE NUMBER OF WELDS IN THE ROAD R.O.W
- 4 FOR TYPE AND LOCATION OF TEST LEADS TO BE INSTALLED SEE ALIGNMENT DRAWINGS
- 5 CONTRACTOR TO NOTIFY RESPONSIBLE PERMITTING AUTHORITY PRIOR TO INSTALLATION

MUSTANG PIPELINE COMPANY OF TEXAS
LONGVIEW TEXAS

10 MONT BELVIEU TO LONGVIEW PIPELINE CROSS (

TYPICAL UNCASED
ROAD CROSSING



LUCE DANIEL WILLIAMS BROTHERS

COUNTY _____

Drawn by

MCB

Scale

N.T.S.

Date

7 22 96

Approved

XXXX

TYP-R1

IF YOU WANT IT DESIGN AND BUILT WITH CARE

COUNTY ROAD CROSSINGSPrecinct #1

None

Precinct #3

<u>R/W#</u>	<u>NAME</u>	<u>MAP #</u>
3P-34 5	Tram Road	1
3P-40 2	County Road (unidentified)	2
3P-45 6	Walker Road	3

Precinct #4

3P-58	Buck Drive	4
3P-62	Upper Leggett Road	5
3P-72 9	McSpadden Road	6
3P-79	CRN 257	7
3P-84	Rock Island Road-CRN 299	8
3P-86 3	Jack Station Road	9



RESOLUTION

OF THE POLK COUNTY COMMISSIONERS COURT

URGING THE CRIMINAL JUSTICE DIVISION AND THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS TO REVIEW THE APPLICATION FOR FUNDS AND TO APPROVE AND AWARD THE GRANT OF FINANCIAL ASSISTANCE FOR THE CHAMBERS COUNTY NARCOTICS TASK FORCE

Whereas, Polk County does not have sufficient manpower to properly address and eradicate the growing problem of narcotics and the crime associated with narcotics in this County, and

Whereas, Polk County has no local funding available to purchase or acquire equipment, additional narcotics personnel or other necessary services to implement a program to combat narcotics trafficking in this County, and

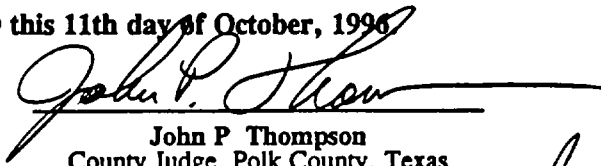
Whereas, Polk County Sheriff's Department is assigning one narcotics investigator 100% of the time to the Task Force All salaries and fringe benefits (totaling in the amount of \$27, 785 00) for said investigator will be paid by Polk County These monies shall be considered the cash match for the proposed program, and

Whereas, Polk County does not receive any state or federal financial assistance to address this serious problem, and


BE IT RESOLVED BY THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS, THAT


(1) The Commissioners Court of Polk County, Texas, urges the Criminal Justice Division of the Office of the Governor of the State of Texas to accept and review the application for financial assistance for implementing the Narcotics Task Force/10 Program, and to approve and award the grant for financial assistance

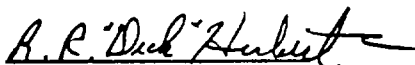
PASSED AND APPROVED this 11th day of October, 1996


John P. Thompson
County Judge Polk County, Texas


B E "Slim" Speights
Commissioner, Precinct 1


Bobby Smith
Commissioner, Precinct 2


James J "Buddy" Purvis
Commissioner, Precinct 3


R.R. "Dick" Hubert
Commissioner, Precinct 4

Attest

Barbara Middleton County Clerk

CAUSE NO. 5763

ESTATE OF # IN THE COUNTY COURT
SECHREST B WEBSTER, # AT LAW OF
DECEASED # POLK COUNTY, TEXAS

ORDER

On this day came on to be heard the application of Co-Executors of the Estate for Clarification and Authority to Convey Real Estate The Court having examined the application and listening to the evidence finds that the same should be granted

IT IS THEREFORE THE ORDER OF THIS COURT that the Co-Executors shall have the authority in order to carry out the terms of the Last Will and Testament of the Decedent to convey the real property and improvements to the County of Polk with a reversionary clause therein that provides for title to revert to the Estate or the Charitable Trust created in said Will should the County discontinue the use of the premises for operating or maintaining a public museum within twenty years from the date of Decedent's death. Should the County of Polk cease to operate the premises for the purpose of a Museum after twenty years, same shall pass to the contingent beneficiary named in said Will, ^{ie,} Presbyterian Children's Home at Itasca, Texas

ENTERED this the 17 day of September, 1996

Charles H. Kelly
JUDGE PRESIDING

FILED AND RECORDED
OFFICE OF PUBLIC CLERK
POLK COUNTY TEXAS
06 SEP 26 11:10 14
B.A. ...
BERNARD ...
POLK CO

CAUSE NO. 5763

ESTATE OF
SECHREST B. WEBSTER,
DECEASED

IN THE COUNTY COURT
AT LAW
POLK COUNTY, TEXAS

FILED AND RECORDED
OFFICIAL PUBLIC
POLK COUNTY
96 SEP 13 PM 3 24
Bald
CARRINGTON
COUNTY

APPLICATION FOR CLARIFICATION
AND AUTHORITY TO CONVEY
REAL PROPERTY OF ESTATE

Come now, Carolyn Nixon and Gene Bush, Co-Independent Executors of the Estate of Sechrest B Webster, Deceased, and file this their application for clarification and Court Authority to convey Real Property of the Estate and would respectfully show the Court the following, to-wit

I

Co-Executors were appointed by this Court on June 10, 1996 Since the date of said appointment the Co-Executors have assembled the assets of the estate and have made partial distributions in accordance with the terms of said Last Will and Testament of the Deceased

II.

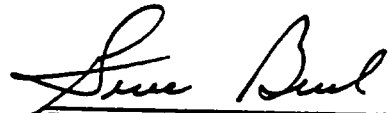
Co-Executors would show the Court that the Testator's express intent and desire as expressed in her Last Will and Testament in paragraph V (c) was to leave her residence in the City of Livingston, together with certain items of furniture therein for the purpose of operating and maintaining the present museum under the guidance of the Historical Commission created by the County of Polk of the State of Texas Decedent was mistaken as to the legal name of the organization as the organization named in such Will, is, Polk County Museum, Inc does not exist Co-Executors would further show the Court that they have

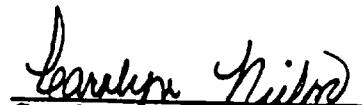
personal knowledge of the facts herein recited and would show the Court that the provision of said Will was made after the Decedent had discussed the matter of her residence being suitable for the purpose of the Museum with the Creator of the present Museum which is a qualified charitable Organization under the direct supervision of the Historical Commission appointed by the Commissioner's Court of Polk County, Texas

III.

Co-Executors request the Court to grant them the authority to convey the residence and lots to the County of Polk with the express provision that the same be used for the purpose of maintaining and operation of a Museum under the supervision of the Historical Commission appointed by the Commissioner's Court with a reversionary clause in the conveyance that would provide that same would revert to the Estate of the Decedent and pass under the residuary clause of the Will should the same cease to be used as a public museum

Respectfully submitted,


Gene Bush, Co-Executor


Carolyn Nixon, Co-Executor

WARRANTY DEED

THE STATE OF TEXAS #

KNOW ALL MEN BY THESE PRESENTS

THE COUNTY OF POLK #

THAT, we, **CAROLYN NIXON and GENE BUSH**, Co-Independent Executors of the Estate of **SECHREST B WEBSTER**, Deceased, in Cause No 5763 in the Probate Court of Polk County, Texas, for and in consideration of a partial distribution of the Estate in accordance with the terms of said Last Will and Testament and pursuant to a clarification order dated September 17, 1996, have given, granted and conveyed and by these presents do hereby give, grant and convey subject to the reversionary provisions hereinafter specified unto **POLK COUNTY, TEXAS**, the following described real property and all improvements thereon situated, to-wit

All those certain lots, tracts or parcels of land situated upon the Hill-Davison Addition to the city of Livingston, on the M L Choate Survey, as depicted by Plat of Record in Volume 1, Page 6 of the Plat Records of Polk County, Texas, as follows, to-wit

TRACT ONE.

The South ten (10) feet of Lots One (1), Two (2), and Three (3) of the Hill Davison Addition to the City of Livingston

TRACT TWO.

The West twenty (20) feet of Lot Nine (9) and all of Lots Ten (10), Eleven (11), and Twelve (12) of the Hill Davison Addition to the City of Livingston, Texas

TRACT THREE.

All of Lot Sixteen (16) of the Hill-Davison Addition to the City of Livingston, Texas

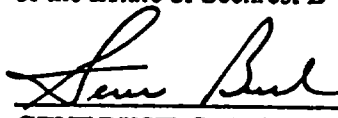
It is specifically provided herein that the property and improvements shall be used for the purposes of a public museum and controlled by the Historical Commission appointed by the Commissioner's Court of Polk County, Texas. In the event that the County of Polk ceases to use the property as a public museum within twenty years from May 25, 1996, the property and improvements shall revert to the Estate of Sechrest B Webster and be subject to the terms of the charitable trust provided in the Last Will and Testament of Decedent. In the event the property and improvements should cease to be used as a Public Museum subsequent to May 25, 2016, the property and all improvements shall revert to the contingent beneficiary named in said Last Will and Testament of the Decedent, Sechrest B Webster. In the event that the property ceases to be used as museum and same reverts as hereinstated, the County shall not be responsible for any damages to the improvements to the premises

This conveyance is made and accepted expressly subject to (1) all restrictions, easements, rights-of-way, prior mineral and/or royalty reservations and conveyances, together with any mineral development leases, which are applicable to the herein described property and of record in the public records of Polk County, Texas, but only to the extent that same are valid and still in force and effect against the herein described property, (2) any easements or rights-of-way not of record, but which are visible and apparent upon the ground so as to give actual notice thereof to grantee and (3) to any ordinances, statutes or regulations promulgated by any agency or political subdivision of the State of Texas or the Federal Government applicable to the herein described property, and all of the above matters are excluded from the warranty of title herein contained

TO HAVE AND TO HOLD the above described premises, subject to the revisionary clauses herein specified unto the County of Polk, Texas, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever, and we do hereby bind ourselves, our heirs or assigns, to Warrant and Forever Defend, all and singular the said premises unto the said Grantee, its successors or assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof

WITNESS OUR HANDS this the 26 day of September, 1996

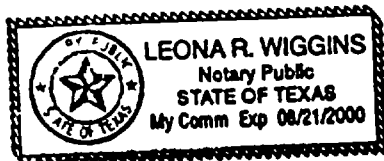

CAROLYN NIXON, Co-Independent Executor
of the Estate of Sechrest B Webster


GENE BUSH, Co-Independent Executor of the
Estate of Sechrest B Webster

THE STATE OF TEXAS #

THE COUNTY OF POLK #

This instrument was acknowledged to before me on this the 26 day of September, 1996,
by CAROLYN NIXON.

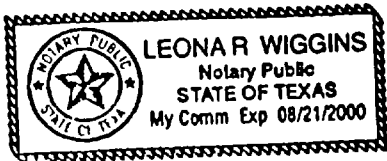



Notary Public, State of Texas

THE STATE OF TEXAS #

THE COUNTY OF POLK #

This instrument was acknowledged to before me on this the 26 day of September, 1996 by GENE BUSH



Leonar R. Wiggins
Notary Public, State of Texas

The above and foregoing conveyance to the County of Polk, Texas, is this day accepted by appropriate resolution passed by the Commissioner's Court of Polk County, Texas, on the 11th day of October, 1996

John Thompson
JOHN THOMPSON, County Judge

THE STATE OF TEXAS #

THE COUNTY OF POLK #

This instrument was acknowledged to before me on this the 11th day of October, 1996, by JOHN THOMPSON, County Judge in and for Polk County, Texas, and in the capacity therein stated



Jan Shandley
Notary Public, State of Texas

After Recording Return To

County of Polk

STATE OF TEXAS }
COUNTY OF POLK }
I, BARBARA MIDDLETON, hereby certify that this instrument was FILED in the file number sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records in volume and page of the named RECORDS of Polk County Texas as stamped hereon by me on

OCT 18 1996



Barbara Middleton
COUNTY CLERK
POLK COUNTY, TEXAS

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
POLK COUNTY TEXAS

96 OCT 18 AM 9:21

Barbara Middleton
BARBARA MIDDLETON
COUNTY CLERK POLK CO

SCHEDULE OF DEBIT BY FUND

FUND	DESCR P- C I	DEBITMENTS
01	GENERAL FUND	349 53
015	ROAD & BRIDGE ADM	11 538 39
048	DISTRICT ATTY SPECIAL FUND	9 690 03
051	AGING DEPT	30 14
051	DEPT SEVY CC FUND	75 000 00
073	1994 C C JAIL BLDG RENOV ISSUE	15 540 18
082	JUDIC APT FUND	791 30
092	CO CLERK RECORDS MGMT FUND	3 101 18
094	COUNTY RECORDS MGMT FUND	1 514 59
TOTAL OF ALL FUNDS		139 054 36

THE PRECEDING LIST OF BILLS PA ABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 9-24-96

APPROVED BY

Barbara Plummer
County Auditor
John P. Clinger

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	71 271 85
015	ROAD & BRIDGE ADM	21 016 49
032	ENVIRONMENTAL SERVICES	5 442 51
048	DISTRICT ATTY SPECIAL FUND	1 252 55
051	AGING DEPT	1 521 85
061	DEBT SERVICE FUND	10 868 91
070	ENV SERVICE - 94 CO ISSUE	968 78
088	JUDICIARY FUND	197 20
093	CO CLERK RECORDS MGMT FUND	5 841 40
101	ADULT SUPERVISION	10 344 50
104	DTP - CSR	418 68
107	CCP CORRIGAN OFFICE	513 65
108	CCP - SURVEILLANCE	1 040 40
184	JUVENILE PROBATION	1 182 58
185	CCAP - JUVENILE PROBATION	2 773 08
TOTAL OF ALL FUNDS		134 634 43

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 9-30-96

APPROVED BY [Signature]

[Signature]
[Signature]

SCHEDULE OF BILLS 8 / FUND

FUND DESCRIPTION	DISBURSEMENTS
032 ENVIRONMENTAL SERVICES	310 00
TOTAL OF ALL FUNDS	310 00

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 10-3-96

APPROVED BY

Philip Guetta
John P. Thompson

SCHEDULE OF BILLS & FUNDS

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	157,277.46
015	ROAD & BRIDGE ACM	33,851.32
032	ENVIRONMENTAL SERVICES	14,903.67
051	AGING DEPT	8,050.88
101	ADULT SUPERVISION	18,091.17
104	DTP - CSP	758.74
107	CCP CORRIGAN OFF CE	1,141.99
108	CCP - SURVE LLANCE	2,014.34
184	JUVENILE PROBATION	2,886.34
185	CCAP - JUVENILE PROBATION	5,644.50
TOTAL OF ALL FUNDS		221,650.41

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 10-1-96

APPROVED BY

James Brannan
Paula P. Dwyer

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	25 578.06
015	ROAD & BRIDGE ADM	841.15
022	ENVIRONMENTAL SERVICES	472.18
051	AGING DEPT	2 498.30
088	JUDICIARY FUND	81.60
TOTAL OF ALL FUNDS		29 471.29

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT
 DATE 10-6-92 APPROVED BY John P. Bennett

John P. Bennett
John P. Bennett

FY 1996
EXPENSES

SCHEDULE OF EXPENSES

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	78,186.01
015	ROAD & BRIDGE ACN	4,919.92
032	ENVIRONMENTAL SERVICES	4,441.20
034	FEMA DISASTER FUNDS	694.69
040	LAW LIBRARY FUND	3,231.24
049	DISTRICT ATTORNEY CHECK FUND	160.63
051	AGING DEPT	16,026.68
070	ENV SERVICE - 94 CO ISSUE	512.00
073	1994 C/O JAIL/BLDG RENOV ISSUE	487.00
TOTAL OF ALL FUNDS		155,787.26

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 10-8-96 APPROVED BY [Signature]

[Signature]
[Signature]

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	0	58	JURISDICTIONS
010	GENERAL FUND	710	109	31
015	ROAD & BRIDGE ADM	24	734	43
037	SECURITY FUND		20	00
032	ENVIRONMENTAL SERV CES	4	216	04
034	FEMA DISASTER FUNDS		28	45
048	DISTRICT ATTY SPECIAL FUND		171	63
049	DISTRICT ATTY HOT CHECK FUND		17	20
051	AGING DEPT	1	545	92
185	CCAP - JUVENILE PROBATION		221	36
TOTAL OF ALL FUNDS		41	083	35

THE PRECEDING LIST OF BILLS PA ABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 10-8-96

APPROVED BY

Kerry Lee Stewart
Robert Clasper

SCHEDULE OF BILLS TO BE PAID

FUND	DESCR	AMOUNT	DISBURSE
010	GENERAL FUND	80,072.00	
015	ROAD & BRIDGE ACFT	6,441.76	
032	ENVIRONMENTAL SERVICES	2,050.14	
040	LAW LIBRARY FUND	240.75	
049	DISTRICT ATTORNEY CHECK FUND	48.00	
051	AGING DEPT	1,480.65	
088	JUDICIAL FUND	515.85	
093	CO CLERK RECORDS MGMT FUND	5,085.29	
TOTAL OF ALL FUNDS		95,243.74	

THE PRECEDING LIST OF BILLS PAIDABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 10-10-96

APPROVED BY

[Signature]



KAREN REMMERT
County Auditor

POLK COUNTY

LIVINGSTON TEXAS

October 11, 1996

Addendum to Schedule of Bills for Commissioners Court

General Service Commission (Sundry Packs)	\$ 720 00
General Service Commission (Road & Bridge, Pct #3 Corrigan VFW has paid \$2,577, leaving \$695)	3,272 00
Total	----- \$ 3,992 00

John P. Thompson

DATE SEPTEMBER 24, 1996 THROUGH OCTOBER 11, 1996

NO	NAME	DEPT	JOB CLASSIFICATION	TYPE OF EMPLOYEE	SALARY GROUP	ACTION TAKEN
(1)	DARLA RHODES	AUDITORS	#107 BOOKKEEPER	REGULAR FULL TIME	\$15,340.81	NEW-HIRE EFFECTIVE 09-24-96
(2)	ROBERT H. TRAPP	JUDICIAL	JUDGE	ELECTED	UNCLASSIFIED \$3,000.00	JUVENILE SUPPLEMENT EFFECTIVE 10-01-96
(3)	CAROLYN WELLS	PERSONNEL	#102 SECRETARY	LABOR POOL	UNCLASSIFIED \$6.66	TRANSFERRED TO D CLERK #107 BOOKKEEPER 844 15,734.16 EFFECTIVE 10-02-96
(4)	ROBIN CRAWFORD	WASTE MGT	#904 COLLECTION STAT ATTEND	REGULAR PART TIME	UNCLASSIFIED \$4.75	NEW-HIRE EFFECTIVE 09-28-96
(5)	PHILIP LAMKIS	WASTE MGT	#904 COLLECTION STAT ATTEND	REGULAR PART TIME	UNCLASSIFIED \$4.75	NEW-HIRE EFFECTIVE 09-28-96
(6)	RICKEY WALTON	ROAD & BRIDGE PRECINCT #1	#109 LIGHT EQT OPERATOR	TEMPORARY FULL TIME	UNCLASSIFIED \$6.41/HR	RESIGNED EFFECTIVE 10-01-96
(7)	AMANDA SMITH	JP#4 ROAD & BRIDGE #4	#102 SECRETARY	REGULAR PART TIME	UNCLASSIFIED \$7.02/HR	RE-HIRE EFFECTIVE 10-01-96
(8)	NELDA ALLEN	DISTRICT CLERK	#106 COURT CLERK	REGULAR FULL TIME	101 \$15,340.81	MERIT INCREASE 10/3 \$16,127.51 EFFECTIVE 10-02-96
(9)	FRANCES PARKER	DISTRICT CLERK	#105 DEPUTY CLERK	REGULAR FULL TIME	84 \$14,969.31	MERIT INCREASE 0/5 \$15,340.81 EFFECTIVE 10-02-96
(10)	SANDRA DUNBAR	SHERIFF	#1043 TELECOMMUNICATION OPER	LABOR POOL	UNCLASSIFIED \$6.30/HR	RECLASSIFIED TO REG FT #1043 91 \$14,597.80 EFFECTIVE 10-16-96
(11)	TAMMY PARKER	SHERIFF	#1043 TELECOMMUNICATION OPER	REGULAR FULL TIME	9/2 \$14,969.31	RESIGNED EFFECTIVE 10/03/96
(12)	BRANDY IVY	PERSONNEL	#102 SECRETARY	LABOR POOL	UNCLASSIFIED \$5.64/HR	MERIT INCREASE \$6.00/HR EFFECTIVE 10-16-96
(13)	ALENE EDMONDS	SHERIFF	#1045 COMPUTER RECORDS SPEC	REGULAR FULL TIME	11/3 \$16,906.06	MERIT INCREASE 11/4 \$17,351.28 EFFECTIVE 10-02-96
(14)	PAULA GRIES	SHERIFF	#1043 TELECOMMUNICATION OPER	REGULAR FULL TIME	9/1 \$14,597.80	NEW-HIRE EFFECTIVE 10-10-96
(15)	JAMES MCALISTER	WASTE MGT	#801 ENV SERVICES ADMINISTRATOR	REGULAR FULL TIME	22/6 \$36,525.06	RESIGNED EFFECTIVE 10-08-96
(16)	SHARON CAIN	DISTRICT CLERK	#105 DEPUTY CLERK	REGULAR FULL TIME	8/3 \$14,597.80	RESIGNED EFFECTIVE 09-15-96

(17)	CINDY SHEFFIELD	TAX OFFICE	#405 LEGAL ASSISTANT	REGULAR FULL TIME	13/1 \$17,799.34	NEW-HIRE EFFECTIVE 10-21-06
(18)	VANESSA WRIGHT	TAX OFFICE	#405 LEGAL ASSISTANT	REGULAR FULL TIME	13/2 \$18,225.40	RESIGNED EFFECTIVE 10-11-06
(19)	SHANNON CAIN	EMERGENCY MGT	#102 SECRETARY	REGULAR PART TIME	UNCLASSIFIED \$7.02/HR	RESIGNED EFFECTIVE 10-09-06
(20)	RYNOLD'S RITA	EMERGENCY MGT	#102 SECRETARY	REGULAR PART TIME	UNCLASSIFIED \$7.02/HR	NEW-HIRE EFFECTIVE 10-11-06
(21)	VELMA ASHLEY	AGING ONALASKA	#1285 COOK	LABOR POOL	UNCLASSIFIED \$6.30	RE-HIRE EFFECTIVE 10-15-06
(22)	BEVERLY SHATTO	AGING ESCAPEES	#1286 KITCHEN HELPER	REGULAR PART TIME	UNCLASSIFIED \$6.30/HR	NEW-HIRE EFFECTIVE 10-16-06
(23)	SHANNON CAIN	PERSONNEL	#102 SECRETARY	LABOR POOL	UNCLASSIFIED \$7.02/HR	TRANSFER EFFECTIVE 10-16-06
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