

IN THE COMMISSIONERS COURT OF
POLK COUNTY, TEXASFINDINGS OF FACT REGARDING POLITICAL BOUNDARIES
OF POLK COUNTY, TEXAS
FOLLOWING PUBLICATION OF 2010 CENSUS DATA
AND
ORDER FOR REDISTRICTING OF POLITICAL BOUNDARIES

On the 12th day of April, 2011, the Commissioners Court of Polk County met in regular/called session, having posted notice of said hearing in compliance with Chapter 551 of the Texas Government Code.

The Commissioners Court of Polk County has previously retained the firm of Allison, Bass & Associates, LLP, of Austin, Texas, to conduct an Initial Assessment of existing political boundaries of Polk County, following the issuance of census data by the United States Census Bureau. Attached to this Order, and incorporated herein for all purposes by reference, is a copy of the initial assessment conducted by Allison, Bass & Associates, LLP. This assessment is based upon PL94-171 data, as required by federal law, and is further based upon information provided to Allison, Bass & Associates, LLP by the Texas Legislative Council, the Texas Association of Counties and by Polk County, Texas.

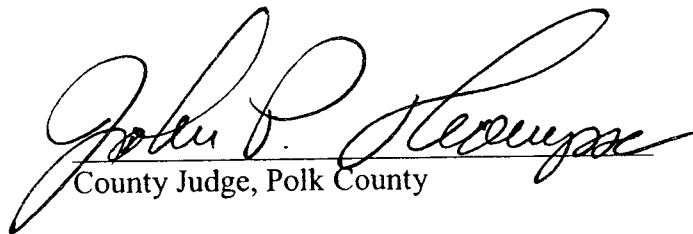
Based upon this information, Polk County has a total maximum deviation of 27.13%. The term total maximum deviation is determined by dividing the total population of Polk County by four, the number of Commissioners Court precincts to determine an ideal precinct size. The actual population of each precinct is then determined, based upon the official population data contained within the census count, as defined by Public Law 94-171. The actual population of each precinct is compared to the ideal precinct size and with that, a range of deviation by percentage is determined. Any total maximum deviation in excess of ten percent (10%) is presumptively unconstitutional under established federal law.

As a result of this determination Polk County has a constitutional duty to redistrict its political boundaries so as to achieve "One-Person-One-Vote" numerical balance between the four commissioners court precincts at a legally acceptable margin of deviation, and to make such changes as are necessary to comply with the Voting Rights Act and applicable state and federal law.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Commissioners Court of Polk County, Texas, finding that it has a legal duty to exist to redistrict and that the public interest will be served by redrawing the existing political boundaries of Polk County in such a manner as to comply with applicable state and federal law, the Commissioners Court hereby enters the following findings of fact and law:

1. Polk County has a total maximum deviation, as defined in this order, of 27.13%.
2. Any total maximum deviation in excess of ten percent (10%) is presumptively unconstitutional under federal law.
3. Polk County, acting by and through its Commissioners Court, is hereby resolved to immediately undertake such necessary and appropriate action to accomplish redistricting of existing commissioners court precincts, and any incidental modification of either existing, consolidated, or newly created election precincts necessary to accomplish such redistricting.
4. The Commissioners Court shall henceforth convene in open meetings, duly posted in accordance with the Texas Open Meetings Act, to take up and consider one or more alternative plans for the legal redistricting of Polk County.
5. After due consideration of one or more alternative plans, Polk County shall adopt a plan deemed to satisfy legal requirements, and which best suits the legitimate governmental needs of Polk County.
6. Such plan shall, after adoption, be submitted to the United States Department of Justice for review as required by 42 U.S.C. §1973, otherwise known as the Voting Rights Act.
7. Only upon preclearance shall such plan, or a plan subsequently modified to obtain preclearance, be implemented for elections in the year 2012 and thereafter, or until a suitable substitute has been lawfully adopted.

Signed this 12th day of April, 2011.


County Judge, Polk County