

Filed for record January 16, 1952 at 8:22 o'clock A. M. James Poole, County Clerk, Upshur Co.

1-15-52

Commissioners Court met in special session all members present.

Motion made, seconded and carried to set a hearing to determine whether or not call an election to determine whether or not to issue Bond in the amount of \$187,500.00 in Road District 3-B.

ORDER SETTING DOWN FOR HEARING
PETITION FOR \$187,500.00 ROAD BONDS OF
ROAD DISTRICT NUMBER 3-B, OF UPSHUR COUNTY
TEXAS.

THE STATE OF TEXAS

COUNTY OF UPSHUR

ON THIS the 15th day of January, 1952, the County Commissioners' Court of Upshur County, Texas, convened in Special session, at the regular meeting place of said court in the Courthouse at Gilmer, Texas, all members of the Court, to-wit:

H. L. Elwell,	County Judge, Presiding; and
Jim Shockey,	Commissioner, Precinct No. 1;
E. H. Shaw,	Commissioner, Precinct No. 2;
J. E. Venn,	Commissioner, Precinct No. 3;
Horace Morris,	Commissioner, Precinct No. 4;

being present; and, among other proceedings had by said Court, were the following:

There came on to be considered a petition signed by Ben D. Monk and certain other persons, alleging themselves to be resident property taxpaying voters of Road District Number 3-B, of Upshur County, Texas, who own taxable property in said District and who have duly rendered the same for taxation, praying this Court for an order for a hearing for a bond election to be held within said Road District Number 3-B, for the purpose of voting bonds in the principal sum of \$187,500.00, such bonds to be issued upon the faith and credit of said Road District number 3-B, a defined District of said County, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, in said district; and

WHEREAS, the said Road District Number 3-B, of Upshur County, Texas, was duly created by order of this Court duly passed and entered of record on the 30th day of November, 1951, said order providing that the said district is created and established for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof, under and by virtue of the Constitution and laws of the State of Texas, including Section 52 of Article 3, of the Constitution, and Chapter 16, Acts 1926, First Called Session, and amendments thereto; and,

WHEREAS, it further appearing to this Court that such petition for said bond election is signed by more than fifty (50) of the resident property taxpaying voters of said Road District Number 3-B, of Upshur County, Texas; and,

WHEREAS, the statute expressly providing that upon the presentation of a petition signed by fifty (50), or a majority, of the resident property taxpaying voters of a road district or political subdivision praying the Court to order an election for the purpose of voting bonds and the levy of taxes in payment thereof, it shall be the duty of the Court to which such petition is presented to fix a time and place at which time such petition shall be heard, which date shall be not less than fifteen (15) days, nor more than thirty (30) days, from the date of the order setting such petition down for hearing; and,

WHEREAS, it further appearing to the Court that said petition sets forth the amount of bonds proposed to be issued, the maximum rate of interest said bonds shall bear, if issued, and the purpose for which such proposed bonds are to be issued; the proposition for the issuance of such bonds, as set forth in such petition, being as follows, to-wit:

"WHETHER OR NOT the bonds of ROAD DISTRICT NUMBER 3-B, OF UPSHUR COUNTY, TEXAS, shall be issued in the total principal sum of One Hundred Eighty Seven Thousand Five Hundred Dollars (\$187,500.00) for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof in said District, and which bonds are to bear interest at the rate of not exceeding Four Per Centum (4%) per annum, and are to be payable at such times as may be deemed most expedient by the Commissioners' Court, but not to exceed Thirty (30) years from the date thereof, and whether or not ad valorem taxes shall be levied on all taxable property within said Road District for the purpose of paying the interest on the said bonds and providing a sinking fund for the redemption or payment thereof at maturity."

AND WHEREAS, the said petition further stipulates and provides that if the said bonds are voted and issued the money received from the sale thereof will be applied to the construction and maintenance of a gravel base, asphalt surface roadway at and in the following locations in said district:

Old Big Sandy and Gilmer Highway from the South City Limits of Gilmer to the intersection of Highway No. 155.

From the intersection of Highway No. 155 to Mings Chapel school building.

Red Rock road from Old Big Sandy Highway to Highway No. 80.

From Mings Chapel to the Red Rock road.

From Ben Adams place to Red Rock road.

From Joe Johnson place to the Dunsagan Road.

From Red Rock road to Upshur and Gregg County Line along the Old Big Sandy and Gladewater Highway.

From point of intersection of the last named road along Gay Avenue of City of Gladewater to intersection of Highway No. 271.

The West Mountain loop to the intersection of Red Rock Road.

From Red Rock Road to intersection Highway No. 271 known as Gipsan Road.

AND WHEREAS, it is further stipulated in the aforesaid petition that the proposed improvement will be for the benefit of all taxable property situated in said Road District Number 3-B of Upshur County, Texas;

It is therefore Ordered by the Commissioners' Court of Upshur County, Texas:

I.

That the said petition be and the same is hereby set down for hearing before the Commissioners' Court of Upshur County, Texas, in the Commissioners' Court Room in the Court-house at Gilmer, Texas, at ten o'clock A. M., on the 31st day of January, 1952, the same being more than fifteen (15) days, and less than thirty (30) days, from the date of this order.

II.

That the Clerk of this Court shall forthwith issue a notice of such time and place of hearing, which notice shall inform all persons concerned of the time and place of hearing and of their right to appear at such hearing and contend for or protest the ordering of such bond election. Such notice shall state the amount of bonds proposed to be issued, and shall describe the boundaries of Road District Number 3-B, of Upshur County, Texas, as such boundaries are described and defined in the order of the Commissioners' Court establishing such Dis-

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trict.

III.

The Clerk shall execute said notice by pasting true copies thereof in three public places within said Road District Number 3-B, and one at the door of the County Courthouse of the County. Said notice shall be posted for ten (10) days prior to the date of said hearing. Said notice shall also be published in The Gilmer Mirror, a newspaper of general circulation published in said County, and shall be published in said newspaper one time, and the date of publication shall be at least five (5) days prior to the date herein set for the hearing on said petition.

The duties herein imposed upon the Clerk may be performed by said Clerk in person or by Deputy, as provided by law for other similar duties.

The above order having been read, it was moved by Commissioner J. E. Venn, and seconded by Commissioner Horace Morris, that the same be passed and adopted. Whereupon, the question being called for, the County Judge put the motion to a vote of the members of the Commissioners' Court, and the motion carried by the following vote: Commissioners Shockey, Shaw, Venn and Morris voting "AYE"; and none voting "NO".

The County Judge declared the motion carried and the order duly passed and adopted, and the County Clerk was instructed to record the same in the Minutes of the Court.

WITNESS THE SIGNATURES OF THE MEMBERS OF THE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS, this the 15th day of January, 1952.

H. L. Elwell, County Judge
 Jim Shockey, Commissioner of Precinct No. 1
 E. H. Shaw, Commissioner of Precinct No. 2
 J. E. Venn, Commissioner of Precinct No. 3
 Horace Morris, Commissioners of Precinct
 No. 4.

FILED FOR RECORD January 15, 1952 at 4:33 o'clock P. M. James Poole, County Clerk, Upshur Co.

H. L. Elwell
 Jim Shockey
 E. H. Shaw
 J. E. Venn
 Horace Morris

2-1-52

Commissioners Court met in special session with all members present.

Motion made, seconded and carried to appoint the Presiding Officers and Judges to hold elections for the year 1952. The following were appointed.

1. S. E. Gilmer	Roger Camp, Rt 5
	Mrs. Clarence Hill, Rt 5
2. N. E. Gilmer	Hayward Jones, Rt 5
	E. G. Petty, Rt 5
3. S. W. Gilmer	E. V. Davis, Gilmer
	Mrs. Genevieve Brawley, Gilmer
4. N. W. Gilmer	E. W. Crosby, Gilmer
	Quinton Floyd, Gilmer
5. Glenwood	M. O. Watts, Rt 5
	Z. Wheeler, Rt 1