

ORDER SETTING DOWN FOR HEARING  
PETITION FOR \$150,000.00 ROAD  
BONDS OF ROAD DISTRICT NUMBER  
1-D OF UPSHUR COUNTY, TEXAS

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THE STATE OF TEXAS, |  
COUNTY OF UPSHUR |

ON THIS the 11th day of June, 1962, the County Commissioners' Court of Upshur County, Texas, convened in Special session, at the regular meeting place of said court in the Court-house at Gilmer, Texas, all members of the Court, to-wit:

- WELBY K. PARISH COUNTY JUDGE, Presiding; and
- JIM SHOCKEY COMMISSIONER, Precinct No. 1;
- BRYANT HOLMES COMMISSIONER, Precinct No. 2;
- M. L. LANGFORD 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 R. E. O'Byrne and certain other persons, alleging themselves to be resident property taxpaying voters of ROAD DISTRICT NUMBER 1-D, 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 1-D, for the purpose of voting bonds in the principal sum of \$150,000.00, such bonds to be issued upon the faith and credit of said Road District Number 1-D, 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 1-D, of Upshur County, Texas, was duly created by order of this Court duly passed and entered of record on the 11th day of June, 1962, said order providing that the said District is created and

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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 1-D, 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 1-D, OF UPSHUR COUNTY, TEXAS, SHALL be issued in the total principal sum of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00) 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 THREE PER CENTUM (3%) per annum,

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and are to be payable at such times as may be deemed most expedient by the Commissioners' Court, but not to exceed Two (2) years from the date hereof, 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 said bonds are voted and issued the money received from the sale thereof will be applied to maintaining, graveling and applying an oil coat to and operating the following described graveled' roads now in said district:

(1) County Road beginning at State Highway No. 154 at Douglas Davis' Store and running in a Southeasterly direction to the Gregg County Line and commonly known as the Shipp Road.

(2) County Road beginning at New Bethlehem Baptist Church and running generally South to the Gregg County Line.

(3) County Road beginning at Farm to Market Road No. 1650 at Milton Rash's place and running generally West to its intersection with Shipp Road above described.

(4) County Road beginning at State Highway No. 154 at Mrs. Harvey's Store and running generally South to the Shipp Road above described.

(5) County Road beginning at State Highway No. 154 at Clarence Hill's house and running South by Indian Rock Cemetery to the Shipp Road above described.

(6) County Road beginning at U. S. Highway No. 271 at Langford's Nursery and running generally East to the Shipp Road above described.

(7) County Road beginning at Farm to Market Road No. 1403 known as the Glenwood Road, at Ervin Hills Colored Housing Project and running generally South to the East Mountain-Union Grove Road at Noble Tuttle's house and generally known as the Pattonfield Road.

(8) County Road beginning at the Glenwood Road at the Will Barber place and running generally West to the Pattonfield Road.

(9) County Road beginning at Piedmont Colored School and running generally East to the Pattonfield Road.

(10) County Road beginning at U. S. Highway No. 271 at Icie Phillips' place and running generally North to the Pattonfield Road.

(11) County Road beginning at the Glenwood Road at George Sanders Place and running generally South to the Glenwood-West Mountain Road, and generally known as the Bain Road.

(12) County Road beginning on Glenwood Road near old McClelland Place and running generally Northeast to Dead End.

(13) County Road beginning at the Glenwood Road at Woodland Baptist Church and running generally West to the Bain Road above described.

(14) County Road beginning at the Bain Road above described at N. A. Blalack's Place and running generally West to the Pattonfield Road.

(15) County Road beginning at the Bain Road above described at Carl Pittman's Place and running generally West to its intersection with road running from Bain Road to Pattonfield Road.

(16) County Road beginning at State Highway 26 at Edward Simpsons' place and running generally Northwesterly to W. A. Townsend's Store and where the County Road intersects with Fm. Road No. 555.

(17) County Road beginning at Glenwood-West Mountain Road at Virgil Smith's Place and running generally South to the East Mountain-West Mountain Road.

(18) County Road beginning at the Glenwood-Thornton City Road at the Glenwood Cemetery and running generally West and South to the Glenwood-Thornton City Road.

(19) County Road beginning at FM Road No. 1403 at Robert Langston's Place and running generally Southwesterly to where the same intersects with the Pattonfield Road.

(20) County Road beginning at East Mountain-Union Grove Road at the East Mountain School and running generally West to the East Mountain-Union Grove Road.

(21) County Road beginning at East Mountain-Union Grove Road at King Landers' Place and running generally South by General American Warehouse to paved road at the Cureton house and East from Clemon Johnson's home to Larry Ortlan's home and North to paved road.

(22) County Road beginning at East Mountain-Union Grove Road at Uncle Joe Miller's place and running generally South to paved road.

(23) County Road beginning at Farm to Market Road No. 1649 at Townsend's Store and running generally East by Valley View School to Graceton and generally known as the Valley View Road.

(24) County Road beginning at Farm to Market Road No. 1972 at Will Harris' Place and running generally South to Graceton.

(25) County Road beginning at Farm to Market Road No. 1972 at Graceton Church of Christ and running generally South by Maddox Cemetery to State Highway No. 154.

(26) County Road beginning at State Highway No. 154 at Louie Covin's Store and running generally North to Graceton.

(27) County Road beginning at FM Road No. 1972 running generally North to FM Road No. 555.

(28) County Road beginning at State Highway No. 154 near Louie Covin's Store and running Southeast to State Highway No. 26 and generally known as the Ridge Road.

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(29) County Road beginning at the Ridge Road above described at L. C. Brannon's house and running generally East to State Highway No. 26.

(30) All Streets in Diana, Texas.

(31) County Road beginning at the Floyd Cemetery going South where the same intersects with the Shipp Road.

(32) County Road beginning at State Highway No. 26 at Edward Simpson's place and running generally North to the North Line of Road District No. 1-D.

(33) County Road beginning at State Highway No. 26 at the North Line of Road District No. 1-D and running generally East to the Harrison County Line and generally known as the old Gilmer-Jefferson Public Road.

(34) County Road beginning at the Brawley property and at the intersection of the Bethlehem Road and running generally West to a Dead End, being approximately 1-1/2 miles.

(35) County Road running from James, Texas, North to the Old Gilmer-Jefferson Road above described.

(36) County Road running from the old Buie Place South of Ashland, Texas, North to the Old Gilmer-Jefferson Public Road.

(37) County Road beginning at FM Road No. 1403 and running generally East until the same intersects with the Bethlehem Road.

(38) County Road beginning at George Jones' Place North of State Highway No. 154 running generally East to its intersection with road running North from Ashland, Texas.

(39) County Road beginning at Highway No. 271 and running generally East passed the Calvert Willis property to a Dead End and being approximately a mile long.

(40) County Road beginning on road running East from the George Jones' Place above mentioned and running North to Dead End.

(41) County Road beginning at road running North from Ashland, Texas, at Dock Richard's Place and running generally East to Harrison County Line by Barber's Place.

(42) County Road beginning at the Ervin Floyd Place and running generally North to Highway No. 154.

(43) County Road beginning on State Highway No. 26 near East End of Ridge Road above described, running Northeast through Old James, crossing State Highway No. 26 to Harrison County Line.

(44) County Road beginning on Road No. 35 immediately East of its intersection with State Highway No. 154, and running generally North to Dead End.

#### PAVED ROADS

(45) Old 271 leading off 271 to County line at Olen Smith.

(46) Back West to Humble Camp.

(47) East out by George Cummings place to the County Line.

(48) Leading off of Glenwood Road out by the Salters place.

(49) Glenwood Road over the mountain and intersects same roads.

(50) Leading out by Landers place to County Line.

(51) Around by the East Mountain School.

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 1-D, 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 Courthouse at Gilmer, Texas, at ten o'clock A. M., on the 28th day of June, 1962, 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 1-D, of Upshur County, Texas, as such boundaries are described and defined in the order of the Commissioners' Court establishing such District.

III.

The Clerk shall execute said notice by posting true copies thereof in three public places within said ROAD DISTRICT NUMBER 1-D, and one at the door of the County Courthouse of the

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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.

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The above order having been read, it was moved by Commissioner Jim Shockey, and seconded by Commissioner \_\_\_\_\_

M. L. Langford 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, Holmes, Langford 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 11th day of June, 1962.

Welf H. Plumb  
County Judge

Jim Shockey  
Commissioner of Precinct No. 1.

Harold Holmes  
Commissioner of Precinct No. 2.

M. L. Langford  
Commissioner of Precinct No. 3.

Harold Morris  
Commissioner of Precinct No. 4.

NOTICE OF HEARING ON PETITION  
FOR THE ISSUANCE OF ROAD BONDS  
BY ROAD DISTRICT NUMBER 1-D OF  
UPSHUR COUNTY, TEXAS.

THE STATE OF TEXAS, |  
COUNTY OF UPSHUR |

TO THE RESIDENT QUALIFIED ELECTORS OF  
ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY,  
TEXAS, WHO OWN TAXABLE PROPERTY IN SAID DISTRICT  
AND WHO HAVE DULY RENDERED THE SAME FOR TAXATION,  
AND ALL OTHER PERSONS CONCERNED:

TAKE NOTICE that a petition signed by R. E. O'Byrne and more than fifty (50) other persons, resident property tax paying voters of Road District Number 1-D, of Upshur County, Texas, who own taxable property in said District and who have duly rendered the same for taxation, has heretofore been submitted to the Commissioners' Court of said County, wherein such petitioners pray the Court for an order for an election on the following proposition:

"WHETHER OR NOT the bonds of ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY, TEXAS, shall be issued in the total principal sum of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) 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 THREE PER CENTUM (3%) per annum, and are to be payable at such times as may be deemed most expedient by the Commissioners' Court, but not to exceed two (2) 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 FURTHER TAKE NOTICE that the boundaries of said ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY, TEXAS, are described



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and defined in the order of the Commissioners' Court of said County passed and entered of record on June 11, 1962, recorded in Volume 12, Page 513 et seq., of the Minutes of said Court, creating and establishing such District and defining its boundaries, and such boundaries, as described and defined in the order, aforesaid, are as follows, to-wit:

BEGINNING at a point 80 feet North of the Northwest corner of Block No. 50 of the City of Gilmer, Texas, a point in the North Right of Way Line of Texas State Highway No. 154;

THENCE East along the North Right of Way Line of the Culberson Highway (State Highway No. 154) for a distance of two miles to the old Gilmer and Jefferson Public Road;

THENCE continuing Eastwardly with the North Right of Way Line of said Gilmer and Jefferson Public Road to the East Right of Way Line of the public road running South from Stamps Community and intersecting the Gilmer and Jefferson Public Road;

THENCE in a Northeasterly direction along the East and South Right of Way Line of said public road running Southwesterly from Stamps Community to the point to where said road intersects the WBL of Sarah Powell Survey;

THENCE North with said Sarah Powell WBL to the NWC of a 50 acre tract in the name of B. B. Wright, said corner being also the SWC of a 50 acre tract once owned by F. L. Shaw;

THENCE East with the NBL of the B. B. Wright land, NBL of a 50 acre tract of land in the name of Fine Hale. The NBL of the Levi Williams 100 acre tract and to a stake in NBL of Hollis Fagan 35 acre tract at the SWC of the D. T. Loyd land;

THENCE North with the WBL of the D. T. Loyd land to the NWC of same said corner being also the SWC of a 48.6 acre tract now owned by M. O. Karanaugh;

THENCE East with the NBL of said 48.6 acre tract to the NEC of same a corner in WBL of the W. L. Williford land;

THENCE North with the WBL of said Williford land to the NWC of same a stake in the NBL of the Sarah Powell HR;

THENCE East being the NEC of the Sarah Powell HR and continuing East to a stake in the WBL of the A. Wyatt HR Survey;

THENCE North with the WBL of said A. Wyatt Survey, and the WBL of the Ruben Wyatt Survey to the NWC of said Ruben Wyatt Survey;

THENCE East with the NBL of the Ruben Wyatt Survey to the NEC of same;

THENCE South with the EBL of said Ruben Wyatt Survey to the NWC of the Jno. T. Smith Survey (Abst. # 442);

THENCE East with the NBL of the Jno. T. Smith Survey and the Prichard Diviney Survey to a point where said line intersects the West side of the Boxwood and Diana Public Road;

THENCE in a Southerly direction with and along the West side of said road to the point where said road intersects the road from Snow Hall;

THENCE East to a point on East side of said Boxwood and Diana Road;

THENCE in a Southerly direction with and along said Boxwood and Diana Road to the point where said road intersects the NBL of the J. M. Dunn HR Survey;

THENCE East with the NBL of said Dunn to the NEC of same;

THENCE South with the EBL of said J. M. Dunn Survey to the NWC of the Geo. C. Patillo Survey;

THENCE East to the NEC of said Patillo Survey;

THENCE South with the EBL of said Patillo Survey to the point where said line intersects the Public Road known as the Gilmer and Jefferson Road;

THENCE East along the North Right of Way Line of said Gilmer and Jefferson Public Road to the Harrison County Line;

THENCE South with the Upshur-Harrison County Line to its intersection with Little Cypress Creek;

THENCE up Little Cypress Creek with the line between Gregg and Upshur Counties to the mouth of Prairie Creek;

THENCE up Prairie Creek with the line between Gregg and Upshur Counties to a point where said line leaves Prairie Creek;

THENCE South 37 deg. 30 min. West with the line between Gregg and Upshur Counties to a corner in same;

THENCE South 68 deg. West with the line between Gregg and Upshur Counties to its intersection with the East Right of Way Line of U. S. Highway No. 271;

THENCE in a Northerly direction with the East Right of Way Line of U. S. Highway No. 271 to the North line of Warren Avenue in the City of Gilmer, Texas;

THENCE West with the North line of Warren Avenue of the City of Gilmer, Texas, to the East line of Henderson Street of the City of Gilmer, Texas;

THENCE North along the East line of said Henderson Street to the NWC of Block No. 50 of the City of Gilmer, Texas, and continuing North to the Place of Beginning.

AND FURTHER TAKE NOTICE that said petition has been set down for hearing before the Commissioners' Court of Upshur County, Texas, on the 28th day of June, 1962, at ten o'clock A. M., the place of such hearing being in the Commissioners' Court Room in the Courthouse of said County at Gilmer, Texas.

AND FURTHER TAKE NOTICE that the aforesaid petition stipulates and provides that if the said bonds are voted and issued, the money received from the sale thereof will be applied to maintaining, graveling and applying an oil coat to and operating the following described graveled roads now in said district:

(1) County Road beginning at State Highway No. 154 at Douglas Davis' Store and running in a Southeasterly direction to the Gregg County Line and commonly known as the Shipp Road.

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(2) County Road beginning at New Bethlehem Baptist Church and running generally South to the Gregg County Line.

(3) County Road beginning at Farm to Market Road No. 1650 at Milton Rash's place and running generally West to its intersection with Shipp Road above described.

(4) County Road beginning at State Highway No. 154 at Mrs. Harvey's Store and running generally South to the Shipp Road above described.

(5) County Road beginning at State Highway No. 154 at Clarence Hill's house and running South by Indian Rock Cemetery to the Shipp Road above described.

(6) County Road beginning at U. S. Highway No. 271 at Langford's Nursery and running generally East to the Shipp Road above described.

(7) County Road beginning at Farm to Market Road No. 1403 known as the Glenwood Road, at Ervin Hills Colored Housing Project and running generally South to the East Mountain-Union Grove Road at Nobie Tuttle's house and generally known as the Pattonfield Road.

(8) County Road beginning at the Glenwood Road at the Will Barber place and running generally West to the Pattonfield Road.

(9) County Road beginning at Piedmont Colored School and running generally East to the Pattonfield Road.

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(12) County Road beginning on Glenwood Road near old McClelland Place and running generally Northeast to Dead End.

(13) County Road beginning at the Glenwood Road at Woodland Baptist Church and running generally West to the Bain Road above described.

(14) County Road beginning at the Bain Road above described at N. A. Blalack's Place and running generally West to the Pattonfield Road.

(15) County Road beginning at the Bain Road above described at Carl Pittman's Place and running generally West to its intersection with road running from Bain Road to Pattonfield Road.

(16) County Road beginning at State Highway 26 at Edward Simpsons' place and running generally Northwesterly to W. A. Townsend's Store and where the County Road intersects with Fm Road No. 555.

(17) County Road beginning at Glenwood-West Mountain Road at Virgil Smith's Place and running generally South to the East Mountain-West Mountain Road.

(18) County Road beginning at the Glenwood-Thornton City Road at the Glenwood Cemetery and running generally West and South to the Glenwood-Thornton City Road.

(19) County Road beginning at FM Road No. 1403 at Robert Langston's Place and running generally Southwesterly to where the same intersects with the Pattonfield Road.

(20) County Road beginning at East Mountain-Union Grove Road at the East Mountain School and running generally West to the East Mountain-Union Grove Road.

(21) County Road beginning at East Mountain-Union Grove Road at King Landers' Place and running generally South by General American Warehouse to paved road at the Cureton house and East from Clemon Johnson's home to Larry Ortlan's home and North to paved road.

(22) County Road beginning at East Mountain-Union Grove Road at Uncle Joe Miller's place and running generally South to paved road.

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(26) County Road beginning at State Highway No. 154 at Louie Covin's Store and running generally North to Graceton.

(27) County Road beginning at FM Road No. 1972 running generally North to FM Road No. 555.

(28) County Road beginning at State Highway No. 154 near Louie Covin's Store and running Southeast to State Highway No. 26 and generally known as the Ridge Road.

(29) County Road beginning at the Ridge Road above described at L. G. Brannon's house and running generally East to State Highway No. 26.

(30) All Streets in Diana, Texas.

(31) County Road beginning at the Floyd Cemetery going South where the same intersects with the Shipp Road.

(32) County Road beginning at State Highway No. 26 at Edward Simpson's place and running generally North to the North line of Road District No. 1-D.

(33) County Road beginning at State Highway No. 26 at the North Line of Road District No. 1-D and running generally East to the Harrison County Line and generally known as the old Gilmer-Jefferson Public Road.

(34) County Road beginning at the Brawley property and at the intersection of the Bethlehem Road and running generally West to a Dead End, being approximately 1-1/2 miles.

(35) County Road running from James, Texas, North to the Old Gilmer-Jefferson Road above described.

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(36) County Road running from the old Buie Place South of Ashland, Texas, North to the Old Gilmer-Jefferson Public Road.

(37) County Road beginning at FM Road No. 1403 and running generally East until the same intersects with the Bethlehem Road.

(38) County Road beginning at George Jones' Place North of State Highway No. 154 running generally East to its intersection with road running North from Ashland, Texas.

(39) County Road beginning at Highway No. 271 and running generally East passed the Calvert Willis property to a Dead End and being approximately a mile long.

(40) County Road beginning on road running East from the George Jones' Place above mentioned and running North to Dead End.

(41) County Road beginning at road running North from Ashland, Texas, at Dock Richard's Place and running generally East to Harrison County Line by Barber's Place.

(42) County Road beginning at the Ervin Floyd Place and running generally North to Highway No. 154.

(43) County Road beginning on State Highway No. 26 near East End of Ridge Road above described, running Northeast through Old James, crossing State Highway No. 26 to Harrison County Line.

(44) County Road beginning on Road No. 35 immediately East of its intersection with State Highway No. 154, and running generally North to Dead End.

#### PAVED ROADS

(45) Old 271 leading off 271 to County line at Olen Smith.

(46) Back West to Humble Camp.

(47) East out by George Cunnings place to the County line.

(48) Leading off of Glenwood Road out by the Salters place.

(49) Glenwood Road over the mountain and intersects same roads.

(50) Leading out by Landers place to County line.

(51) Around by the East Mountain School.

AND FURTHER TAKE NOTICE that the aforesaid petition stipulates that the proposed improvement will be for the benefit of all taxable property situated in said ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY, TEXAS.

AND WHEREAS, the Honorable Commissioners' Court of Upshur County, Texas, has set the above petition down for hearing,

at a special session of said Court, to be held in the Commissioners' Court Room at the Courthouse in the City of Gilmer, Texas, on the 28th day of June, 1962, at ten o'clock A. M., and has ordered and directed the undersigned to give notice of such hearing in accordance with law; now, therefore,

NOTICE IS HEREBY GIVEN of such hearing to all persons concerned in order that they may appear before said Court at the time and place above mentioned, and to attend such hearing, and to contend for or protest the ordering of such proposed bond election, as prayed for in the petition, and at such hearing any person interested may appear before the Commissioners' Court in person, or by attorney, and contend for or protest the calling of such proposed bond election; and all persons interested shall have the right to offer testimony to show that said petition should or should not be granted and that the election prayed for should or should not be ordered.

WITNESS MY HAND AND SEAL OF THE COMMISSIONERS' COURT OF SAID COUNTY AFFIXED, this the 12th day of June, 1962.

*D. W. Ray*  
County Clerk and Ex-Officio Clerk  
of the Commissioners' Court in and  
for Upshur County, Texas.

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AFFIDAVIT OF COUNTY CLERK ON POSTING  
NOTICES IN ROAD DISTRICT NUMBER 1-D,  
UPSHUR COUNTY, TEXAS

THE STATE OF TEXAS, |

COUNTY OF UPSHUR |

BEFORE ME, THE UNDERSIGNED AUTHORITY, a Notary Public in and for Upshur County, Texas, on this day personally appeared O. W. Loyd, well known to me to be the duly elected, qualified, and acting County Clerk of Upshur County, Texas, and who, after being by me duly sworn, on oath deposed as follows:

(1) That he is the legally qualified County Clerk and Ex-Officio Clerk of the Commissioners' Court of Upshur County, Texas, and has occupied such official position continuously since the first day of January, 1959.

(2) That as Clerk of said Commissioners' Court of said County, he did on the 12th day of June, 1962, post a "NOTICE OF HEARING ON PETITION FOR THE ISSUANCE OF ROAD BONDS BY ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY, TEXAS", a true copy of which notice is hereto attached and marked "EXHIBIT A" for identification, and made a part of this affidavit, at the following public places in said Upshur County, Texas, and in Road District Number 1-D, of said County, to-wit:

ONE COPY at the Courthouse door of said County in Gilmer, Texas;

ONE COPY at Milton Rash's Store, East Mountain, Texas;

ONE COPY at Diana Food Mart, Diana, Texas;

ONE COPY at W. A. Townsend Grocery, Sand Hill, Texas.

(3) That on the 12th day of June, 1962, he delivered a copy of said notice to the Gilmer Mirror, a newspaper published in the City of Gilmer, Upshur County, Texas, with instructions to the Publisher of said paper to publish same in said newspaper not later than five days prior to June 28, 1962.

*O. W. Loyd*

County Clerk and Ex-Officio Clerk of  
the Commissioners' Court, in and for  
Upshur County, Texas.

SWORN TO AND SUBSCRIBED before me, this the 14th day of  
June, 1962.

*Ruthie Venn*

NOTARY PUBLIC, UPSHUR COUNTY, TEXAS

NOTICE OF HEARING ON PETITION  
FOR THE ISSUANCE OF ROAD BONDS  
BY ROAD DISTRICT NUMBER 1-D OF  
UPSHUR COUNTY, TEXAS.

THE STATE OF TEXAS, |

COUNTY OF UPSHUR |

TO THE RESIDENT QUALIFIED ELECTORS OF

ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY,

TEXAS, WHO OWN TAXABLE PROPERTY IN SAID DISTRICT

AND WHO HAVE DULY RENDERED THE SAME FOR TAXATION,

AND ALL OTHER PERSONS CONCERNED:

TAKE NOTICE that a petition signed by R. B. O'Byrne and more than fifty (50) other persons, resident property tax paying voters of Road District Number 1-D, of Upshur County, Texas, who own taxable property in said District and who have duly rendered the same for taxation, has heretofore been submitted to the Commissioners' Court of said County, wherein such petitioners pray the Court for an order for an election on the following proposition:

"WHETHER OR NOT the bonds of ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY, TEXAS, shall be issued in the total principal sum of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) 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 THREE PER CENTUM (3%) per annum, and are to be payable at such times as may be deemed most expedient by the Commissioners' Court, but not to exceed two (2) 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 FURTHER TAKE NOTICE that the boundaries of said ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY, TEXAS, are described



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and defined in the order of the Commissioners' Court of said County passed and entered of record on June 11, 1962, recorded in Volume 12, Page 513 et seq., of the Minutes of said Court, creating and establishing such District and defining its boundaries, and such boundaries, as described and defined in the order, aforesaid, are as follows, to-wit:

BEGINNING at a point 80 feet North of the Northwest corner of Block No. 50 of the City of Gilmer, Texas, a point in the North Right of Way Line of Texas State Highway No. 154;

THENCE East along the North Right of Way Line of the Culberson Highway (State Highway No. 154) for a distance of two miles to the old Gilmer and Jefferson Public Road;

THENCE continuing Eastwardly with the North Right of Way Line of said Gilmer and Jefferson Public Road to the East Right of Way Line of the public road running South from Stamps Community and intersecting the Gilmer and Jefferson Public Road;

THENCE in a Northeasterly direction along the East and South Right of Way Line of said public road running Southwesterly from Stamps Community to the point to where said road intersects the WBL of Sarah Powell Survey;

THENCE North with said Sarah Powell WBL to the NWC of a 50 acre tract in the name of B. B. Wright, said corner being also the SWC of a 50 acre tract once owned by F. L. Shew;

THENCE East with the NBL of the B. B. Wright land, NBL of a 50 acre tract of land in the name of Fine Hale. The NBL of the Levi Williams 100 acre tract and to a stake in NBL of Hollis Fagan 35 acre tract at the SWC of the D. T. Loyd land;

THENCE North with the WBL of the D. T. Loyd land to the NWC of same said corner being also the SWC of a 48.6 acre tract now owned by M. O. Karanaugh;

THENCE East with the NBL of said 48.6 acre tract to the NEC of same a corner in WBL of the W. L. Williford land;

THENCE North with the WBL of said Williford land to the NWC of same a stake in the NBL of the Sarah Powell HR;

THENCE East being the NEC of the Sarah Powell HR and continuing East to a stake in the WBL of the A. Wyatt HR Survey;

THENCE North with the WBL of said A. Wyatt Survey, and the WBL of the Ruben Wyatt Survey to the NWC of said Ruben Wyatt Survey;

THENCE East with the NBL of the Ruben Wyatt Survey to the NEC of same;

THENCE South with the EBL of said Ruben Wyatt Survey to the NWC of the Jno. T. Smith Survey (Abst. # 442);

THENCE East with the NBL of the Jno. T. Smith Survey and the Prichard Diviney Survey to a point where said line intersects the West side of the Boxwood and Diana Public Road;

THENCE in a Southerly direction with and along the West side of said road to the point where said road intersects the road from Snow Hill;

THENCE East to a point on East side of said Boxwood and Diana Road;

THENCE in a Southerly direction with and along said Boxwood and Diana Road to the point where said road intersects the NBL of the J. M. Dunn HR Survey;

THENCE East with the NBL of said Dunn to the NEC of same;

THENCE South with the EBL of said J. M. Dunn Survey to the NWC of the Geo. C. Patillo Survey;

THENCE East to the NEC of said Patillo Survey;

THENCE South with the EBL of said Patillo Survey to the point where said line intersects the Public Road known as the Gilmer and Jefferson Road;

THENCE East along the North Right of Way Line of said Gilmer and Jefferson Public Road to the Harrison County Line;

THENCE South with the Upshur-Harrison County Line to its intersection with Little Cypress Creek;

THENCE up Little Cypress Creek with the line between Gregg and Upshur Counties to the mouth of Prairie Creek;

THENCE up Prairie Creek with the line between Gregg and Upshur Counties to a point where said line leaves Prairie Creek;

THENCE South 37 deg. 30 min. West with the line between Gregg and Upshur Counties to a corner in same;

THENCE South 68 deg. West with the line between Gregg and Upshur Counties to its intersection with the East Right of Way Line of U. S. Highway No. 271;

THENCE in a Northerly direction with the East Right of Way Line of U. S. Highway No. 271 to the North line of Warren Avenue in the City of Gilmer, Texas;

THENCE West with the North line of Warren Avenue of the City of Gilmer, Texas, to the East line of Henderson Street of the City of Gilmer, Texas;

THENCE North along the East line of said Henderson Street to the NWC of Block No. 50 of the City of Gilmer, Texas, and continuing North to the Place of Beginning.

AND FURTHER TAKE NOTICE that said petition has been set down for hearing before the Commissioners' Court of Upshur County, Texas, on the 29th day of June, 1962, at ten o'clock A. M., the place of such hearing being in the Commissioners' Court Room in the Courthouse of said County at Gilmer, Texas.

AND FURTHER TAKE NOTICE that the aforesaid petition stipulates and provides that if the said bonds are voted and issued, the money received from the sale thereof will be applied to maintaining, graveling and applying an oil coat to and operating the following described graveled roads now in said district:

(1) County Road beginning at State Highway No. 154 at Douglas Davis' Store and running in a Southeasterly direction to the Gregg County Line and commonly known as the Shipp Road.

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(2) County Road beginning at New Bethlehem Baptist Church and running generally South to the Gregg County Line.

(3) County Road beginning at Farm to Market Road No. 1650 at Milton Rash's place and running generally West to its intersection with Shipp Road above described.

(4) County Road beginning at State Highway No. 154 at Mrs. Harvey's Store and running generally South to the Shipp Road above described.

(5) County Road beginning at State Highway No. 154 at Clarence Hill's house and running South by Indian Rock Cemetery to the Shipp Road above described.

(6) County Road beginning at U. S. Highway No. 271 at Langford's Nursery and running generally East to the Shipp Road above described.

(7) County Road beginning at Farm to Market Road No. 1403 known as the Glenwood Road, at Ervin Hills Colored Housing Project and running generally South to the East Mountain Union Grove Road at Noble Tuttle's house and generally known as the Pattonfield Road.

(8) County road beginning at the Glenwood Road at the Will Barber place and running generally West to the Pattonfield Road.

(9) County Road beginning at Piedmont Colored School and running generally East to the Pattonfield Road.

(10) County Road beginning at U. S. Highway No. 271 at Icie Phillips' place and running generally North to the Pattonfield Road.

(11) County Road beginning at the Glenwood Road at George Sanders Place and running generally South to the Glenwood-West Mountain Road, and generally known as the Bain Road.

(12) County Road beginning on Glenwood Road near old McClelland Place and running generally Northeast to Dead End.

(13) County Road beginning at the Glenwood Road at Woodland Baptist Church and running generally West to the Bain Road above described.

(14) County road beginning at the Bain Road above described at N. A. Blalack's Place and running generally West to the Pattonfield Road.

(15) County Road beginning at the Bain Road above described at Carl Pittman's Place and running generally West to its intersection with road running from Bain Road to Pattonfield Road.

(16) County Road beginning at State Highway 26 at Edward Simpsons' place and running generally Northwesterly to W. A. Townsend's Store and where the County Road intersects with Fm Road No. 555.

(17) County Road beginning at Glenwood-West Mountain Road at Virgil Smith's Place and running generally South to the East Mountain-West Mountain Road.

(18) County Road beginning at the Glenwood-Thornton City Road at the Glenwood Cemetery and running generally West and South to the Glenwood-Thornton City Road.

(19) County Road beginning at FM Road No. 1403 at Robert Langston's Place and running generally Southwesterly to where the same intersects with the Pattonfield Road.

(20) County Road beginning at East Mountain-Union Grove Road at the East Mountain School and running generally West to the East Mountain-Union Grove Road.

(21) County Road beginning at East Mountain-Union Grove Road at King Landers' Place and running generally South by General American Warehouse to paved road at the Cureton house and East from Clemon Johnson's home to Larry Ortlan's home and North to paved road.

(22) County Road beginning at East Mountain-Union Grove Road at Uncle Joe Miller's place and running generally South to paved road.

(23) County Road beginning at Farm to Market Road No. 1649 at Townsend's Store and running generally East by Valley View School to Graceton and generally known as the Valley View Road.

(24) County Road beginning at Farm to Market Road No. 1972 at Will Harris' Place and running generally South to Graceton.

(25) County Road beginning at Farm to Market Road No. 1972 at Graceton Church of Christ and running generally South by Maddox Cemetery to State Highway No. 154.

(26) County Road beginning at State Highway No. 154 at Louie Covin's Store and running generally North to Graceton.

(27) County Road beginning at FM Road No. 1972 running generally North to FM Road No. 555.

(28) County Road beginning at State Highway No. 154 near Louie Covin's Store and running Southeast to State Highway No. 26 and generally known as the Ridge Road.

(29) County Road beginning at the Ridge Road above described at L. C. Brannon's house and running generally East to State Highway No. 26.

(30) All Streets in Diana, Texas.

(31) County Road beginning at the Floyd Cemetery going South where the same intersects with the Shipp Road.

(32) County Road beginning at State Highway No. 26 at Edward Simpson's place and running generally North to the North line of Road District No. 1-D.

(33) County Road beginning at State Highway No. 26 at the North Line of Road District No. 1-D and running generally East to the Harrison County Line and generally known as the old Gilmer-Jefferson Public Road.

(34) County Road beginning at the Brewley property and at the intersection of the Bethlehem Road and running generally West to a Dead End, being approximately 1-1/2 miles.

(35) County Road running from James, Texas, North to the Old Gilmer-Jefferson Road above described.

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(3) County Road running from the old Hule Place South of Ashland, Texas, North to the Old Gilmer-Jefferson Public Road.

(37) County Road beginning at FM Road No. 1403 and running generally East until the same intersects with the Bethlehem Road.

(38) County Road beginning at George Jones' Place North of State Highway No. 154 running generally East to its intersection with road running North from Ashland, Texas.

(39) County Road beginning at Highway No. 271 and running generally East passed the Calvert Willis property to a Dead End and being approximately a mile long.

(40) County Road beginning on road running East from the George Jones' Place above mentioned and running North to Dead End.

(41) County Road beginning at road running North from Ashland, Texas, at Dock Richard's Place and running generally East to Harrison County Line by Barber's Place.

(42) County Road beginning at the Ervin Floyd Place and running generally North to Highway No. 154.

(43) County Road beginning on State Highway No. 26 near East End of Ridge Road above described, running Northeast through Old James, crossing State Highway No. 26 to Harrison County Line.

(44) County Road beginning on Road No. 35 immediately East of its intersection with State Highway No. 154, and running generally North to Dead End.

#### PAVED ROADS

(45) Old 271 leading off 271 to County line at Olen Smith.

(46) Back West to Humble Camp.

(47) East out by George Cunnings place to the County line.

(48) Leading off of Glenwood Road out by the Salters place.

(49) Glenwood Road over the mountain and intersects same roads.

(50) Leading out by Landers place to County line.

(51) Around by the East Mountain School.

AND FURTHER TAKE NOTICE that the aforesaid petition stipulates that the proposed improvement will be for the benefit of all taxable property situated in said ROAD DISTRICT NUMBER 1-D, OF UPSHUR COUNTY, TEXAS.


AND WHEREAS, the Honorable Commissioners' Court of Upshur County, Texas, has set the above petition down for hearing,

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at a special session of said Court, to be held in the Commissioners' Court Room at the Courthouse in the City of Gilmer, Texas, on the 28<sup>th</sup> day of June, 1962, at ten o'clock A. M., and has ordered and directed the undersigned to give notice of such hearing in accordance with law; now, therefore,

NOTICE IS HEREBY GIVEN of such hearing to all persons concerned in order that they may appear before said Court at the time and place above mentioned, and to attend such hearing, and to contend for or protest the ordering of such proposed bond election, as prayed for in the petition, and at such hearing any person interested may appear before the Commissioners' Court in person, or by attorney, and contend for or protest the calling of such proposed bond election; and all persons interested shall have the right to offer testimony to show that said petition should or should not be granted and that the election prayed for should or should not be ordered.

WITNESS MY HAND AND SEAL OF THE COMMISSIONERS' COURT OF SAID COUNTY AFFIXED, this the 12<sup>th</sup> day of June, 1962.

  
County Clerk and Ex-Officio Clerk  
of the Commissioners' Court in and  
for Upshur County, Texas.