

**COMMISSIONERS COURT**  
**REGULAR SESSION**  
*March 14, 2005*

The Hunt County Commissioners Court met this day at 10:00A.M. with all Commissioners present with Judge Joe Bobbitt presiding. Minutes of the previous meeting were approved as submitted.

NEW BUSINESS:

— ‘Discuss and possibly take action on permission to advertise for State Certified voting systems for Hunt County (to be reimbursed to HAVA Grant Funds) – Mina Cook – Election Administration. Ms. Cook was present to discuss this issue with the Court. Judge Bobbitt advised the Court, we have received our state grant funding from Secretary of State for \$555,649.00. These dollars will be set up in a draw down account. The County Election Committed has already viewed 2 eligible vendor’s system. After much discussion by Ms. Cook and Marilyn Green, agreement was made to investigate this issue more. Suggestion was made for our County to do a RFP from a larger County (piggyback through an Interlocal Agreement) who has already gone through this process. Item dropped from Agenda. To report back to Court in approximately one month.

**9374** On the motion by Ralph Green, second by Kenneth Thornton, the Court approved Special Warranty Deed on properties R71131 and R71128 to be used as additional office space by Dorchestaire Grain. To be filed in Deed Records. *See Attachment.*

**9375** On the motion by Phillip Martin, second by Jim Latham, the Court approved request of FEC Electric to construct electrical distribution facilities along and across CR3128 in Pct 3, with the usual stipulations.

**9376** On the motion by Green, second by Thornton, the Court approved final of plat of Shouse Acres No. 2, Lot 1 containing 3.68 acres, located on CR 2580 being part of original 14.99 acres in Pct 2, presented by Billy and Aalice Shouse.

**9377** On the motion by Martin, second by Green, the Court approved culvert size variances for the Villages at Lone Oak, Phase Two, the Villages at Beaver Creek in Pct 3. Bobby Stovall was present stating due to an error on their part, plat would be corrected to the Villages at Lone Oak, Phase Three.

**9378** On the motion by Martin, second by Latham, the Court approved the Final Plat for the Villages at Lone Oak, Phase Two, the Villages at Beaver Creek in Pct 3. Bobby Stovall stated due to error on their part, plat should be corrected to the Villages at Lone Oak, Phase Three. Judge Bobbitt advised the Court, Letter of Credit for \$125,000.00 has been submitted, to be signed by the County Judge, with no further action needed on Letter of Credit unless a draw on incomplete work or the improvements have not been constructed and maintained in accordance with the plat and approved plats of Hunt County. *See Attachment.*

**9379** On the motion by Latham, second by Green, the Court approved sale of motorgrader for Pct 4 to D.L. Lennon for \$130,200.00. Commissioner Latham stated 6-8 weeks for delivery.

— Discuss and possibly take action on purchasing one new Motorgrader for Pct 4. No bid received – no action by Court. Marilyn Green – Personnel Department stated Motorgrader to be purchased through Buyboard Coop. Judge Bobbitt advised the Court, there are no bids, there will be no bids in the future, as long as action taken on the sale of motorgrader, that will assure that there is enough budgetary authority for Commissioner to purchase new motorgrader without coming back to Court. Budget to be amended at the correct time.

**9380** On the motion by Green, second by Thornton, the Court approved going out for bids on crush rock with different vendor and different location, that we already have on file, until we go out for bids again in October 2005.

— ‘Discuss and possibly take action on recognition of Continuing Educational Hours for Stacey Landrum – District Clerk.’ The Court acknowledged completion of 20 hours of Continuing Educational Hours required per section 51.605 of Texas Government Code. *See Attachment.*

#### HEAR AND DISCUSS:

Judge Bobbitt advised the Court he completed 12 hours at Probate Conference last week..

**9381** On the motion by Martin, second by Latham, the Court approved accounts payable. Judge Bobbitt abstained from the vote.

— There were no line-item budget transfers.

PERSONNEL AND PAYROLL:

<p><u>JUVENILE PROBATION:</u></p>	<p>Add Beverly Jenkins as part time Juvenile Detention Officer at \$8.00 per hour, effective 3-9-05.</p> <p>Add Timothy Tanton as part time Juvenile Detention Officer at \$8.00 per hour, effective 3-9-05.</p> <p>Add Michael Mathis as part time Juvenile Detention Officer at \$8.00 per hour, effective 3-9-05.</p> <p>Add William Edwards as part time Juvenile Detention Officer at \$8.00 per hour, effective 3-9-05.</p> <p>Add Phillis Tyson as part time Juvenile Detention Officer at \$8.00 per hour, effective 3-9-05.</p> <p>Add Janet Moss as part time Juvenile Probation Officer at \$8.00 per hour, effective 3-9-05.</p> <p>Add Cynthia Mauldin as part time Juvenile Detention Officer at \$8.00 per hour, effective 3-9-05.</p>
<p><u>MAINTENANCE:</u></p>	<p>Change Jimmy Moore to Maintenance Supervisor G7 at \$31,240.00 per year, effective 3-14-05. Employee evaluation on file, funds available.</p> <p>Change David Simpson Maintenance Tech 3/G5 to \$29,515.98 per year, Effective 3-14-05. Employee evaluation on file, funds available.</p> <p>Change Roy Lafon Field Detention Officer 1/G4 to \$26,880.10 per year, effective 3-14-05. (Change stipend from Al Estrada to Roy Lafon). Employee evaluation on file, funds available.</p> <p>Remove Al Estrada due to his resignation, effective 3-9-05.</p>
<p><u>SHERIFF DEPARTMENT:</u></p>	<p>Remove Bubba Goodwin as Patrol Deputy due to his resignation, effective 12-31-04.</p> <p>Terminate Gardenia Torres (unexcused failure to return to work within 3 days after expiration of an approved leave or vacation) effective 3-1-05. Please turn in all County issued property.</p> <p>Terminate Dorinda Gluck, effective 3-9-05.</p>

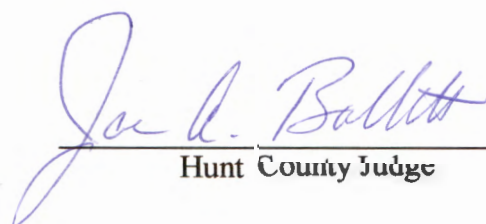
	Add Talbert Lynn Booth, Jr. as Deputy Sheriff G6 at \$29,801.00 per year, effective 3-7-05.
<u>TAX OFFICE:</u>	Add John Mooney as Hourly Clerk at \$7.00 per hour, effective 3-21-05.  Add stipend of \$50 per month to Jeri Sweet Deputy Clerk for salary of \$20,369.96 per year, effective 3-21-05.

**9382** On the motion by Martin, second by Latham, the Court approved personnel and payroll changes.

**9383** On the motion by Judge Bobbitt, second by Martin, the Court approved longevity pay of \$80 per month in addition to regular county longevity pay for Carol Day Moss-Assistant District Attorney. State supplement provided under Chapter 41, subchapter D, of the Texas Government Code through collection of \$15.00 Bail Bond Fee.

— The Court went into Executive Session to discuss Personnel issues at 10:50A.M.; Court returned to regular session.

— Court Adjourned at 11:46A.M. Minutes approved this 28 day of March, 2005.

  
\_\_\_\_\_  
Hunt County Judge

Attest:

  
\_\_\_\_\_  
Hunt County Clerk

Hunt County Clerk



# 9378

**D DEVELOPER  
F FINANCE  
C CORPORATION**

**FILED FOR RECORD**  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M  
**MAR 14 2005**  
By County Clerk, Hunt County, Tex.  
*LINDA BROOKS*

**IRREVOCABLE STANDBY LETTER OF CREDIT**

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Date Issued: March 10, 2005  
Expiration Date: March 10, 2006  
Reference Number: 2002-028  
Amount: \$125,000.00  
Beneficiary: Hunt County, Texas

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Ladies and Gentlemen:

Developer Finance Corporation ("DFC") hereby establishes this Irrevocable Letter of Credit for the account of Lone Oak Land Development Company, L.P., a Texas limited partnership, 6000 Greenwood Plaza Blvd., Suite 120, Greenwood Village, Colorado 80111, in the total amount of One Hundred Twenty Five Thousand and 00/100 Dollars (\$125,000.00), in favor of the Beneficiary named above.

Subject to the following terms and conditions, the amount of this Letter of Credit is available to Beneficiary to fund the construction and maintenance of roads to be located in Phase III of The Villages at Lone Oak subdivision, Hunt County, Texas, in accordance with the plat and approved plans thereof and applicable subdivision regulations of Hunt County, Texas (the "Improvements").

At least ten (10) days prior to the date on which funds are requested, Beneficiary must deliver to DFC at 4 Marshall Street, North Adams, Massachusetts 01247 (or such other address as DFC may designate) the following documents in a single cover:

1. A draft which (a) must bear on its face the following legend: "Drawn under Developer Finance Corporation Letter of Credit No. 2002-028"; (b) must state the amount being drawn; and (c) must be signed by the County Judge of Hunt County, Texas;
2. A statement, signed by a duly authorized official of Hunt County, Texas, that the Improvements have not been constructed or maintained in accordance with the plat and approved plans thereof and the Hunt County subdivision regulations;
3. Invoices or receipts for construction or maintenance of the Improvements, in an aggregate amount which is not less than the amount being drawn; and
4. This original Letter of Credit.

4 Marshall Street North Adams Massachusetts 01247  
Phone: (413) 663-7111 Fax: (413) 663-9997

IRREVOCABLE STANDBY LETTER OF CREDIT – PAGE 2 OF 3

Date Issued: March 10, 2005  
Expiration Date: March 10, 2006  
Reference Number: 2002-028  
Amount: \$125,000.00  
Beneficiary: Hunt County, Texas

Without any investigation on its part, DFC shall be entitled to assume the genuineness and accuracy of all documents submitted by or on behalf of Beneficiary in connection with draws under this Letter of Credit, and the authority of all parties executing such documents.

Beneficiary may request the amount of this Letter of Credit in a single draw or in multiple draws. The total amount of this Letter of Credit shall be reduced by the amount of each draw. Following each partial draw hereunder, DFC shall, in its sole discretion, either (a) record the date and amount of such draw on the face hereof, and return this original Letter of Credit to Beneficiary; or (b) issue to Beneficiary a substitute Letter of Credit in the amount remaining available and undrawn hereunder. In no event shall the aggregate amount available to be drawn hereunder exceed \$125,000.00

This Letter of Credit sets forth in full the terms of DFC's undertaking, and such undertaking shall not in any way be modified, amended or amplified by reference to any documents, instruments or agreements referenced herein, or in which this Letter of Credit is referenced, or to which this Letter of Credit relates, and any such reference shall not be deemed to incorporate herein by reference such documents, instruments or agreements. This Letter of Credit expires at the close of business on March 10, 2006.

DFC hereby engages that payment will be duly made against documents presented in conformity with the terms of this Letter of Credit. This Letter of Credit is irrevocable and nontransferable and is subject to the UCP 1993, ICC Publication No. 500 or its current revision in place.

Developer Finance Corporation  
By: James Shippee  
James Shippee, Sr. Vice President

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF BERKSHIRE

On March 10, 2005, before me appeared James Shippee to me personally known, who, being by me duly sworn, did say that he is the Sr. Vice President of Developer Finance Corporation and said James Shippee acknowledged the instrument to be the free act and deed of Developer Finance Corporation.

Debra J. Hayden  
Notary Public  
My Commission Expires:

Joe A. Bobbitt



## IRREVOCABLE STANDBY LETTER OF CREDIT – PAGE 3 OF 3

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Date Issued: March 10, 2005  
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Beneficiary: Hunt County, Texas

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RECORD OF AMOUNTS DRAWN		
DATE	AMOUNT DRAWN	BALANCE AVAILABLE

# 9374

**SPECIAL WARRANTY DEED**

Date: Executed to be effective as of January \_\_\_\_\_, 2004.

Grantor: GREENVILLE INDEPENDENT SCHOOL DISTRICT, HUNT COUNTY,  
TEXAS, AND HUNT COUNTY MEMORIAL HOSPITAL DISTRICT

Grantor's Mailing Address (including county):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Grantee: CITY OF GREENVILLE, TEXAS

Grantee's Mailing Address (including county):

P. O. Box 1049  
Greenville, Texas 75403  
Hunt County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

All right, title and interest of the Grantor in and to the following described real property:

**TRACT ONE:**

Being Lot 10, Block 120 of the Original Town Plat of the City of Greenville, Hunt County, Texas, and having the common municipal designation of 2012 Mill Street. (R#71128)

**TRACT TWO:**

Being Lot 12, Block 120 of the Original Town Plat of the City of Greenville, Hunt County, Texas, and having the common municipal designation of 2002 Mill Street. (R#71131)

Reservations from and Exceptions to Conveyance and Warranty:

1. This conveyance is expressly made and accepted subject to all valid and subsisting easements, restrictions, reservations, covenants and conditions relating to said Property, to the extent the same are valid and enforceable against said Property, as the same may be shown by instruments filed of record in the Office of the County Clerk of Hunt County, Texas, and, further, this conveyance is expressly made and accepted subject to all visible and apparent easements on, over, or across said Property.



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6571	OR	1302	100

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, **when the claim is by, through, or under Grantor, but not otherwise**, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

This deed may be executed in counterparts by one or more of the parties named herein and all such counterparts when so executed shall together constitute the final deed, as if one document had been signed by all parties hereto; and each such counterpart upon execution and delivery, shall be deemed a complete original, binding the party or parties subscribed thereto upon the execution by all parties to this deed.

GREENVILLE INDEPENDENT SCHOOL DISTRICT

By Steven G Mitchell  
STEVEN G MITCHELL  
 (Name)  
BOARD PRESIDENT  
 (Title)

ATTEST:

By Trudy Wineinger  
TRUDY WINEINGER  
 (Name)  
SECRETARY  
 (Title)

THE STATE OF TEXAS )

COUNTY OF HUNT )

This instrument was acknowledged before me this 18 day of  
April 2005, by STEVEN G. MITCHELL,  
PRESIDENT OF BOARD OF TRUSTEES of **Greenville Independent School**  
**District on behalf of Greenville Independent School District.**



Ginger Thomas  
 Notary Public, State of Texas

THE STATE OF TEXAS )

COUNTY OF Hunt )

This instrument was acknowledged before me this 14<sup>th</sup> day of  
March 2005, by Joe A. Bobbitt,  
 \_\_\_\_\_ of **Hunt County, Texas, on behalf of**  
**Hunt County, Texas.**

SEAL:



Shawna Padilla  
 Notary Public, State of Texas

Doc 6571 Bk OR Vol 1302 Pg 102

HUNT COUNTY, TEXAS

By *Joe A. Bollett*  
 (Name)

(Title)

ATTEST:

By *Linda Brack*

(Name)

(Title)

HUNT MEMORIAL HOSPITAL DISTRICT

By *Wyman Williams*

Wyman Williams  
 (Name)

Chairman  
 (Title)

ATTEST:

By *Jayne Williams*

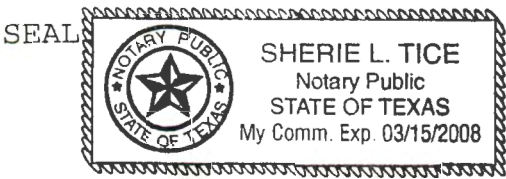
Jayne Williams  
 (Name)

Secretary  
 (Title)

Doc 6571 Bk OR Vol 1302 Pg 103

THE STATE OF TEXAS )  
COUNTY OF HUNT )

This instrument was acknowledged before me this 26 day  
April 2005, by Wyman Williams  
Chairman of Hunt County Memorial Hospital  
District on behalf of Hunt County Memorial Hospital District.



*Sherie L. Tice*  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Doc 6571 Bk OR Vol 1302 Pg 103

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS  
On: Apr 28, 2005  
at 03:39P

Document Number: 6571

Amount .00

By  
Jennifer Thomason  
Linda Brooks,  
County Clerk  
Hunt County

STATE OF TEXAS COUNTY OF HUNT

I hereby certify that this instrument was  
filed on the date and time stamped hereon by me  
and was duly recorded in the volume and page  
of the named records of: Hunt County  
as stamped hereon by me.

Apr 28, 2005

Linda Brooks, County Clerk  
Hunt County

Any provision herein which restricts the Sale,  
Rental or use of the described REAL PROPERTY  
because of Race, Color, Religion, Sex,  
Marriage, Familial Status or National Origin  
is invalid and unenforceable under  
FEDERAL LAW, 3/12/85



# COUNTY & DISTRICT CLERKS' ASSOCIATION OF TEXAS

## CERTIFICATE OF COMPLETION

AWARDED TO

HONORABLE STACEY LANDRUM  
DISTRICT CLERK  
HUNT COUNTY

For completing the required 20 Hours of Continuing Education for 2004  
as prescribed in Section 51.605 of the Texas Government Code

In witness therefor, recognition is hereby made this January, 2005.

*Becky Wilbanks*  
Becky Wilbanks, President

*Beth A. Rothermel*  
Beth A. Rothermel, Vice President

FILED FOR RECORD  
MAR 14 2005  
LINDA BROOKS  
County Clerk, Hunt County, Tex.