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BK0037 PG346

#6

WISE COUNTY SHERIFF'S POSSE

DECATUR, TEXAS 76234

May 25, 1994

Wise County Commissioners Court
Wise County Texas

Dears Sirs,

The Wise County Sheriff Posse would like to bring to your attention the Lease Dated August 1, 1973 which contains a 20 year lease fo property belonging to Wise County. This Lease also stipulate a 20 year renewal which the Wise County Sheriff Posse is request to exercise today. I beleive that the lease automatically renews for the additional term of 20 years and this request is for the Courts information and recognition.

I wish for this recognition to be brought up at the Commissioners Court Meeting to be held May 31, 1994. Any questions concerning this may be addressed to Dennis Hudson as President for the Wise County Sheriff Posse.

Sincerely,


Scott Cocanougher
Treasurer

BK0037 PG34T

MAY 31, 1994

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 31st day of May, A. D., 1994, at 9:00 o'clock A.M. came on to be had a Special Meeting of the Commissioners' Court of Wise County, Texas, held in the County Court at Law Jury Room (3rd Floor) in the County Courthouse of said County in the Town of Decatur with the following members present and presiding:

L. B. McDonald	County Judge
Kyle E. Stephens	Commissioner, Precinct No. 1
Vernon L. Clower	Commissioner, Precinct No. 2
Kenneth E. Steel	Commissioner, Precinct No. 3
B. A. Farris, Jr.	Commissioner, Precinct No. 4

Sherry Parker, County Clerk and Ex-officio Clerk of Commissioners' Court when and where the following proceedings were had, to-wit:

- (1) Motion made by Commissioner Farris, seconded by Commissioner Stephens and unanimously adopted by the Court that Minutes of May 16, 1994, Regular Meeting, be approved as printed.
- (2) Motion made by Commissioner Steel, seconded by Commissioner Clower and unanimously adopted by the Court to authorize County Auditor Tim Rodgers to advertise for bids for reflooring materials for bridges in Precinct No. 3.
- (3) Motion made by Commissioner Farris, seconded by Commissioner Steel and unanimously adopted by the Court to approve Central Telephone Company of Texas' (Sprint/Centel-Texas) request to place a buried communication line within the right-of-way of Kelly Road located in Precinct No. 4. (See attached)
- (4) Motion made by Commissioner Farris, seconded by Commissioner Clower and unanimously adopted by the Court to appoint County Judge L. B. McDonald as the elected official to be the North Central Texas Council of Governments' (NCTCOG) voting representative.
- (5) Motion made by Commissioner Steel, seconded by Commissioner Clower and unanimously adopted by the Court to authorize Sheriff Phil Ryan to appoint and accept deputations of Winston N. Dennis, Jr. and John Bradshaw as Reserve Sheriff's Deputies. Original deputations filed in the Official Bond Records of the County Clerk.
- (6) Motion made by Commissioner Farris, seconded by Commissioner Steel with Commissioner Clower voting "aye" and Commissioner Stephens abstaining from voting, to approve the Wise County Sheriff's Posse's request to exercise the twenty (20) year lease option on the Sheriff's Posse grounds. Commissioner Stephens serves on the Board of Directors of the Sheriff's Posse therefore he abstained from voting. (See attached)

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- (7) Motion made by Commissioner Farris, seconded by Commissioner Clower and unanimously adopted by the Court to approve payment of four (4) bills out of the Right-of-Way and Fencing Fund as follows: Beavers Construction Company in the amount of \$9,995.00; Skipper's Excavating in the amount of \$9,840.00; Kelley-Coppedge, Inc. in the amount of \$620.21; and, Johnson Lab & Supply, Inc. in the amount of \$396.23. (See attached)
- (8) Motion made by Commissioner Clower, seconded by Commissioner Stephens and unanimously adopted by the Court to adopt Budget Amendments No. 94-7 in the amount of \$131,588.00. (See attached)
- (9) The County Auditor's report was the only departmental report submitted for acceptance.

- (10) The following correspondence was received:

H. A. Ross to County Judge L. B. McDonald
Re: Site for disposing of automotive oils and filters

County Judge McDonald will discuss the matter with Public Works Director Harold Read for a receiver to be located at the Boyd convenience site for public use.

Decatur Rotary Club to County Judge L. B. McDonald
Re: Appreciation extended to County and Sheriff's Posse for their assistance and cooperation at the Sheriff's Posse grounds.

County Auditor Tim Rodgers to C&H Janitorial & Supply, Inc.
Re: Misrepresentation by a salesperson who visited several county offices.

Notes on insurance coverage
Re: Wise County Alcohol & Drug Abuse building located at 105 South Church, Decatur, and possible coverage on Heritage Museum (Old Decatur Baptist College). Insurance coverage cancelled.

Court directed County Auditor Tim Rodgers to ascertain if coverage can be obtained on the Heritage Museum under the County's insurance coverage with Texas Association of Counties (TAC) and report his findings to the Court.

Commissioner Clower presented a request from residents Paul W. Cantrell, Jim D. Thompson, Kenneth A. Mann and Guy E. Proctor to adopt a private road as a county road. The road is located one-half mile Northwest of Crafton.

Motion made by Commissioner Stephens, seconded by Commissioner Steel with Commissioners Clower and Farris "opposed" and County Judge McDonald voting "aye" to deny the request to adopt a private road as a county road until the road meets specifications. The road is located one-half mile Northwest of Crafton in

Commissioner Precinct No. 2.

- (1) County Judge McDonald announced the next meeting date, June 13, 1994.
(2) Court adjourned at 9:29 o'clock A.M., there being no further business.
Minutes approved as printed this 13 day of June, 1994.

ATTEST:

Sherry Parker
Sherry Parker, County Clerk and
Ex-officio Clerk of Commissioners' Court
Wise County, Texas

L. B. McDonald
L. B. McDonald, County Judge, Wise County, Texas

LEASE AGREEMENT

COUNTY JUDGE, WISE COUNTY,

TO

WISE COUNTY SHERIFF'S POSSE

THE STATE OF TEXAS X

COUNTY OF WISE X

KNOW ALL MEN BY THESE PRESENTS:

That I, John A. Winder, County Judge of Wise County, Texas, acting pursuant to resolution duly adopted by the Commissioner's Court of Wise County, Texas at its regular meeting on the 1st day of August, 1973, as further shown in Vol. _____ page _____ of the Minutes of said court, do lease and let the land and premises hereinafter described unto the Wise County Sheriff's Posse, acting by and through its agents designated for such purposes, to wit: Dan Maeyers, Jim Tom Young and Sam Kiker; upon and in consideration of the payment of one dollar (\$1.00) which is hereby acknowledged and confessed as received and sufficient; and in consideration of the past lease agreement and the continuously successful relationship created and furthered throughout the past 18 years or more, and in consideration of the mutual agreements, terms and conditions hereinafter set forth as follows:

1. The land hereby leased is described as follows: A part of what is known as the Wise County Farm 310 acre tract situated in the S. Issacs Survey, said County; and further described as:

BEGINNING: at a point in the East r.o.w. line of State Highway No. 51, about two miles south from Decatur, and being the SE corner of the intersection of said highway by a county road running easterly to the entrance to grounds now under lease to the Wise County Reunion Association;

- THENCE: in a Southerly direction with the East r.o.w. line of said highway 1400 feet, more or less, iron rod driven flush with the ground for corner;
- THENCE: in an Easterly direction at right angle to said r.o.w. line 400 feet more or less to fence on creek bank;
- THENCE: in a Northerly direction with said fence 1400 feet more or less, to the South line of the above said county road;
- THENCE: in a Westerly direction with fence along said South line of said county road, 400 feet more or less, to the place of beginning; and containing 15 acres, more or less.

And, in addition to the above described land and premises, the land and property shown in the attached map, entitled "exhibit A", is also leased and let unto said Wise County Sheriff's Posse, for the use, possession and enjoyment of said Wise County Sheriff's Posse.

PROVIDED, HOWEVER, this lease shall include and apply only to the surface estate in said lands; and this lease is expressly made subject to all existing oil, gas and mineral leases and pipeline or other easements covering said land or any part thereof; and the right is further reserved to the lessor to amend this lease at any time so as to obtain right of way or additional right of way for opening or widening of any public road or highway adjacent to said tract.

2. The term of this lease shall be 20 years; provided, same shall expire automatically and without the necessity of any action whatever on the part of lessor if the tract hereby leased shall ever continue for so long a period as one calendar year unused for the purposes hereof as hereafter set out, or if ever used for any purpose other than as hereafter set out, particularly if ever used or permitted to be used for any purpose of private profit. The finding of the Commissioner's Court of said Wise County, entered in its Minutes, that any of such eventualities have occurred, shall be incontestable by lessees, nor shall any other action ever be required to give record notice of the termination hereof. In addition, lessee is granted an option to extend said 20 year term an additional 20 years.

3. It is understood and stipulated that the purposes of lessee association are non-profit seeking, and are the encouragement and promotion of the livestock industry in said county and the sponsorship of livestock and agricultural shows, fairs, exhibits, contests, and related activities, particularly with reference to participation therein by 4-H Clubs, the Future Farmers of America, and similar organizations of the County, now operating as the Wise County Youth Fair, and similar civic projects.

4. It is understood that lessees have constructed exhibit buildings, fences, and other buildings or structures needed for the purposes above set out; and that such construction has required grading, fills, cuts, and other works upon said tract hereby leased, said buildings, fences, and other structures are recognized and are each and all declared removable and not permanent fixtures.

5. This lease shall be unassignable in whole or in part, except only as follows: (1) In event lessees, now formed as a private association, shall incorporate under the laws of the State of Texas, for purposes in conformity with the purposes of this lease as above stated, all rights granted to lessees hereunder shall at such time vest in said corporation so formed; and (2) lessees shall have the right to execute valid chattel mortgages upon any moveable buildings or property which lessees have placed or which are placed upon said land, the holder or holders of which shall be entitled to remove said buildings or structures, following proper foreclosure proceedings, if necessary. Moveable buildings or property shall be construed to include any property which may be removed without damage to the freehold, regardless of whether such property be in law deemed a fixture. Provided further, such property shall be removeable by lessees also in event of termination of this lease as provided in Section 2, above, to the extent such

may be done without injury to the freehold.

6. The surface lease heretofore made by the said lessor to Wise County Sheriff's Posse, as lessee, dated April 11, 1955, covering 15 acres of land more or less in the S. Issacs Survey in Wise County, whereon the Rodeo Arena of said lessee is now situated, is hereby ratified and confirmed under the same terms as originally written, in the hands of the Wise County Cheriff's Posse, Inc., it being recognized that the original lessee has now incorporated under the laws of Texas, and it being hereby agreed that such corporation shall succeed to all the rights of the same association held by it prior to its said incorporation.

7. It being further recognized that said lessee must borrow funds from banks or other sources for the construction of additional improvements upon said land, especially bleachers or other seating facilities at said rodeo arena; it is therefore expressly agreed that any and all such improvements erected on said land by lessee shall be deemed personal and removeable property, regardless of how the same may be built, attached, or affixed to said land. Any holder of chattel mortgage or other lien granted by said lessee covering any and all said improvements on or to be erected on said land is hereby expressly granted the right, in event of default in the payment of indebtedness thereby secured, to foreclose upon, sell, and remove any and all such improvements; provided only, in such event said lien holder shall after such removal restore said land to as good condition as same was in originally, performing such fill and grading as necessary thereto.

IN WITNESS WHEREOF, we hereunto set our hands, on this the 1 day of August, 1973.

John A. Winder
John A. Winder, County
Judge, Wise County, Texas

LESSOR

Sam J. Kirk,
Jim Perry Javors, and
Frank B. Meyers
for
Wise County Sheriff's Posse, Inc.

LESSEE

SINGLE ACKNOWLEDGEMENT

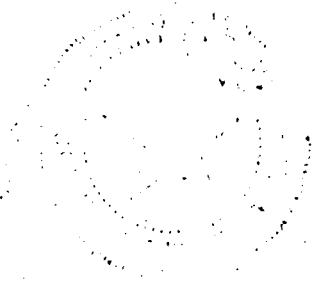
THE STATE OF TEXAS X

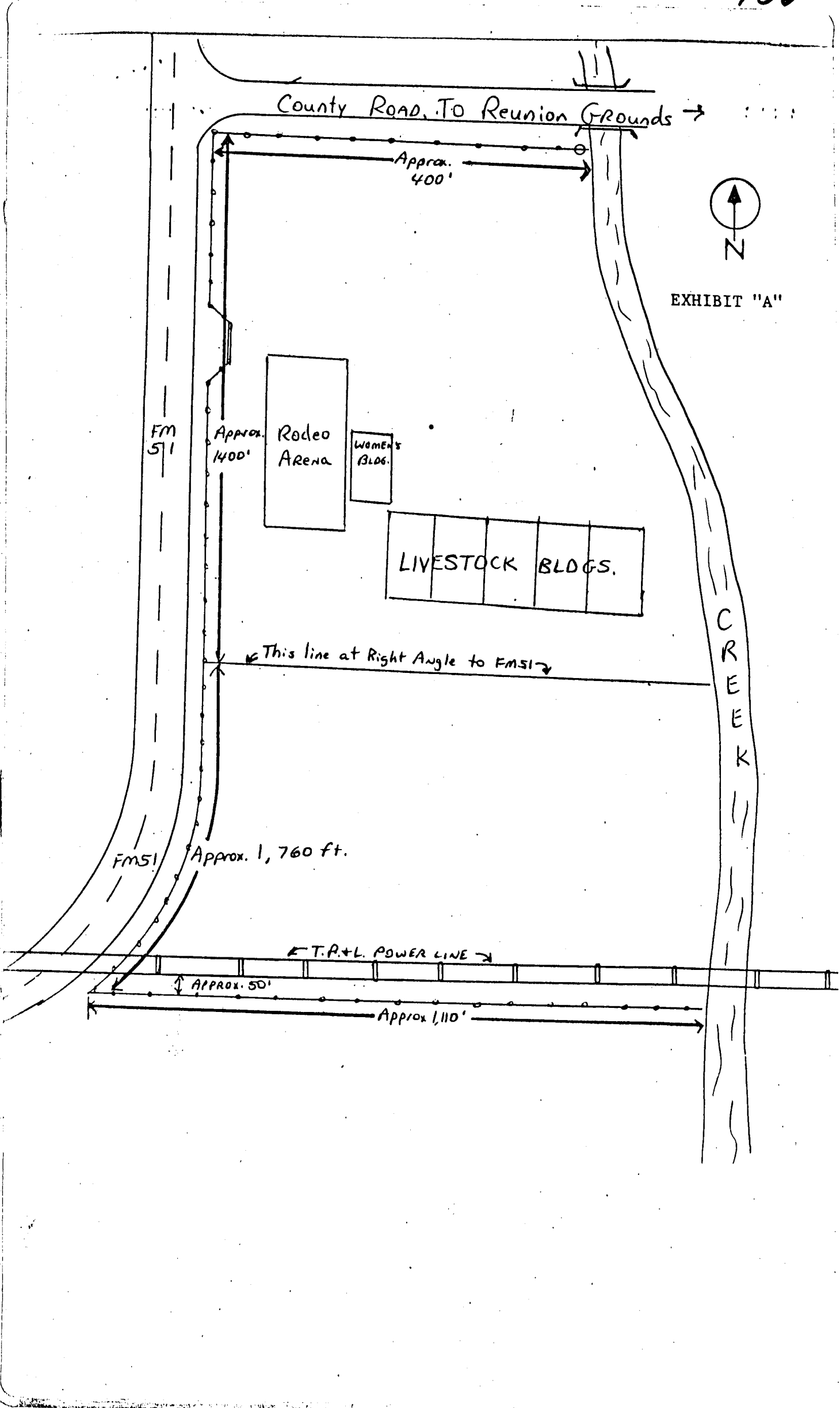
COUNTY OF WISE X

BEFORE ME, the undersigned authority, on this day personally appeared JOHN A. WINDER, COUNTY JUDGE OF WISE COUNTY, TEXAS, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same, for the purposes and consideration therein expressed, as the act of said Wise County, and in the capacity therein stated.

Given under my hand and seal of office, this 1st day of August, A. D., 1973.

Cyrine E. White
Notary Public, Wise County, Texas





County Road To Reunion Grounds →

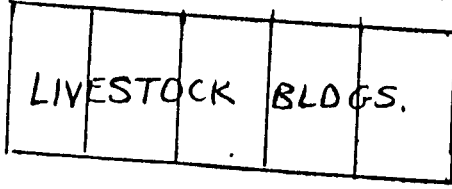
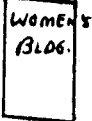
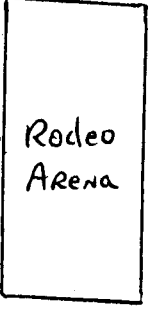
APPROX. 400'



EXHIBIT "A"

FM 51

APPROX. 1400'



← This line at Right Angle to FM 51 →

C R E E K

FM 51

APPROX. 1,760 ft.

← T.P.+L. POWER LINE →

APPROX. 50'

APPROX. 1,110'

TRACT 1
22.48 ACRES

SAMUEL

ISAACS

A-

STATE HIGHWAY

S 70° 30' E

Note: Underground water lines not located.
Sanitary Sewer Line & Lift Station
City of Decatur
317/183 D.R.W.C.T.

TRACT 2
91.01 ACRES

Drainage Easement
State of Texas
173/324 D.R.W.C.T.
Second Tract

* N 19° 30' E
C 247/487 D.R.W.C.T.
Brazos River Gas Co.

Drainage Easement
State of Texas
173/324 D.R.W.C.T.
Third Tract

Easement
Southwestern Gas Pipeline Inc.
340/452 D.R.W.C.T.

Easement
Southwestern Gas Pipeline, Inc.
338/419 D.R.W.C.T.

20' Electric Easement
T. P. & L. Co.
330/126 D.R.W.C.T.

Compact site
TRACT 8
3.94 ACRES

58 1/3 AC.
H. B. Rhine
79/270 D.R.W.C.T.

