

August 10, 1942

THE STATE OF TEXAS ()

COUNTY OF JOHNSON ()

BE IT REMEMBERED, That at a Regular Meeting of the Commissioners' Court in and for Johnson County, Texas, held on the 10th day of August, 1942, the following members were present: Hon. Roy Anderson, County Judge; Commissioner Roy Wyatt, Precinct #1; Commissioner H. Olin Hadley, Precinct # 2; Commissioner Dallas Thompson, Precinct # 3; Commissioner Grady Elliott, Precinct #4; and A. T. Griffin, County Clerk. Among other things they did the following:

UPON the motion of Commissioner Thompson, seconded by Commissioner Elliott, it was ordered by the Court that the bond of Oscar M. Hewett as Constable of Burleson be approved. Commissioners Wyatt, Elliott, Hadley, Thompson voted "Aye". Carried.

UPON the motion of Commissioner Elliott, seconded by Commissioner Wyatt, it was ordered by the Court that the bill for examination of Kennard Williams by Dr. Lee Yater amounting to \$10.00 be approved and ordered paid. Commissioners Wyatt, Hadley, Thompson, Elliott voted "Aye". Carried.

UPON the motion of Commissioner Elliott, seconded by Commissioner Wyatt, it was ordered by the Court that the bill of Anderson Tin Shop for one Air Cooler for \$72.15 for the Welfare Office be approved and ordered paid. Commissioners Elliott, Wyatt, Hadley, Thompson, voted "Aye". Carried.

UPON the motion of Commissioner Elliott, seconded by Commissioner Wyatt, it was ordered by the Court that all bills be approved and ordered paid. Commissioners Elliott, Wyatt, Hadley, Thompson, voted "Aye". Carried.

UPON the motion of Commissioner Elliott, seconded by Commissioner Thompson, it was ordered by the Court that the following be approved:

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TO THE COMMISSIONERS' COURT OF JOHNSON COUNTY, TEXAS:

Now comes Mrs. W. T. Yarbrough, who resided in Johnson County, Texas, and would show unto the Court, as follows:

1.

That she is the sole owner in fee simple of that real estate in Johnson County, Texas, known and described as the South part of Lot No. 5, Block No. 554, according to the Official Map of the City of Cleburne, Texas.

2.

That said real estate has been assessed for State and County ta taxes and the taxes thereon appear by the tax rolls of Johnson County, Texas, to be delinquent for the years 1931 to 1941, inclusive; that the assessment of said land for taxes for each and all years was and is void and invalid for the following reasons, to-wit:

Because the rendition and the assessment of said property for taxes for each and all of said years was for a valuation and amount far in excell of the value thereof.

Because the rendition and assessment of said property for taxes for each and all of said years was for an amount far in excess of the true and correct value of said real estate and far in excess of the value of property of a like nature and quality adjacent to said property and in the said community, and said renditions and assessments were far in excess of the correct and true amount for which the same should have been rendered and assessed for taxes. And if said assessments are allowed to stand, will result in the taking of said property without due process of law.

3.

Petitioner would show the court that said property was not duly and legally rendered and was not duly and legally assessed for taxes for any of the years for which the same is shown to be delinquent, and the amount of taxes assessed against the same and the assessments thereof are invalid and void and said property has not been legally rendered or assessed for taxes for any of said years.

Wherefore, petitioner prays the court that the rendition and assessment of said property for taxes for each and all of said years shall be adjudged invalid, void and of no effect, and shall be cancelled by judgment and order of this court, and that list of such property be made and the said property be reassessed for taxes for each and all of said years as required and provided for in Article 7346, et. seq., Revised Civil Statutes of Texas, and for general and special relief.

Mrs. W. T. Yarbrough

IN RE: TAXES ()

S. Pt. Lot No. 5, Block No. 554, ()

City of Cleburne, Texas. ()

This 10 day of August, 1942, came on to be heard the petition of Mrs. W. T. Yarbrough, for an order declaring invalid assessments for taxes for the years 1931 to 1941, inclusive, on the South Part of Lot No. 5, in Block No. 554, according to the official map of the City of Cleburne, Texas, which is owned by Mrs. W. T. Yarbrough, and described in said petition. And after due consideration of the facts, the court is of the opinion and finds that the assessments for taxes for the years mentioned are invalid and the tax assessor and collector is directed to make a list of such property in triplicate the same to show a complete description thereof for the years the assessments are found to be invalid and present the same to this Court for further action.

Roy Anderson, County Judge,

Johnson County, Texas.

This 10 day of Aug., 1942, it appearing that the assessment for taxes for the years 1931 to 1941, inclusive, on the South Part of Lot No. 5, in Block No. 554, according to the official map of the City of

Cleburne, Texas, which is owned by Mrs. W. T. Yarbrough, and described in said order, where declared invalid and cancelled and the tax assessor and collector directed to reassess the same and such property having been reassessed and submitted to the court on this day, after due consideration of the facts, the court is of the opinion that the value fixed therein are proper and it is ordered that the taxes be computed and assessed at the rate in effect for each separate year mentioned in said order and list, and there shall be added thereto a penalty equal in amount to six per cent interest to the date of making said list from the date such property would have been delinquent had the same been properly rendered and thereupon the tax assessor and collector is authorized and directed to receive said amounts in full payment and satisfaction of the taxes on said lands for the years mentioned.

Roy Anderson, County Judge

Johnson County, Texas.

UPON the motion of Commissioner Elliott, seconded by Commissioner Wyatt, it was ordered by the Court that they adjourn, subject to the call of County Judge Roy Anderson. Carried.

Attest: _____ County Clerk: _____ COUNTY JUDGE

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