

October 1, 1942

Be it remembered that on the 1st day of October, 1942, at meeting of the Commissioner's Court of Johnson County, Texas at which Judge Roy Anderson was present and presiding and all its Commissioners were present when the following proceedings were had:

Commissioner Elliott read the following order:

"Whereas Johnson County through its duly authorized commissioners L. E. Barrow and John R. Ransone heretofore sold to G. R. Shannon, Tracts Twelve, (12), Thirteen, (13), and Fourteen, (14), of its School land Survey, located in Johnson County, Texas being Survey No. 1, patented June 17th, 1859 by Patent No. 24, Vol. 15, Abstract No. 437, of record in Vol. D at pages 767-8, Deed Records, Johnson Co., Texas, said tracts fully described upon the map of said survey of record in the office of its County Clerk, and which lands are more fully shown and described in the deeds so made to said G. R. Shannon, conveying to him said tracts of land, each containing 160 acres of land, all more fully shown in three deeds so made to said G. R. Shannon, recorded in the Deed Records, aforesaid, viz: (1) Recorded in Vol. 37 at pages 524-525, (2) Recorded in Vol. 37 at pages 530-531. (3) Recorded in Vol 37 at pages 533-534, and,

WHEREAS, as payment for said land the said G. R. Shannon executed his note for \$320.00, payable in 20 years, and payable to the County Treasurer of Johnson County, Texas, as shown in each of said deeds, and

WHEREAS, all of said notes were paid to the Treasurer of Johnson County, Texas, who duly executed releases of all liens securing same on said lands as shown by the following releases recorded in the Deed Records, aforesaid viz: (1) Release recorded in Vo. 37 at page 541. (2) Release recorded in Vol. 37 at pages 542, and reference is made to all the above instruments and records for all purposes and
WHEREAS, Johnson County has sold said lands, received the consideration therefor, and its Public School System has gotten the benefit thereof, and Johnson County now has no further claim, interest or lien in

and to said lands by reason of the premises, and it is now desired that all its actions above set forth be in all things ratified and confirmed;

Therefore I move that the Commissioners Court of Johnson County, Texas so do “

Thereupon Commissioner Wyatt seconded said motion, and by a unanimous vote therefor by all commissioners present, it was declared carried.

It is therefore ordered by the Commissioners Court of Johnson County, Texas that the sale of the above lands by Johnson County, Texas to G. R. Shannon, and the deeds thereto made to him by its Commissioners aforesaid, and the releases of the liens securing the purchase money notes, shown in same, as made by its Treasurer to G. R. Shannon be and the same are in all things ratified, confirmed and approved.

It is further ordered by the court that Roy Anderson, County Judge of Johnson County, Texas, be and he is hereby authorized and empowered in the name of Johnson County, Texas, to execute for it an instrument of ratification in keeping with this order and evidencing its contents.

Attest:

A. T. GRIFFIN

County Clerk, Johnson County, Texas.

ROY ANDERSON

County Judge, Johnson County, Texas

On this October 1st, 1942, at a regular meeting of the Commissioners Court of Johnson County, Texas, came on for consideration the matter of sale of lands belonging to Johnson county and known as Johnson county School Land surveys, situated in said county and it appearing to the Court that heretofore, by order dated November 20, 1878, and entered in Book “A” page 38, Minutes of this Court, John R. Ransone, then County Surveyor, was appointed Commissioner to make deeds to various purchasers of said school land and to receive and receipt for the first payment of interest, and to have all authority that his predecessor in office, Warren Douglas, had to take vendor’s lien notes in part payment for said lands; that pursuant to such authority, said John R. Ransone, as Special Commissioner

to make such deeds, did sell to N. J. Ayers, Tract No. 8, Johnson county School Land Survey No. 1, containing 160 acres of land and did execute and deliver the said N. J. Ayers a deed thereto, dated August 15, 1881, recorded in Book 37 Page 526 Deed records, Johnson county, Texas, and as part of the consideration therefor, said N. J. Ayers did execute and deliver his vendor's lien note for the sum of \$320.00, secured by lien on said land, payable to the Treasurer of Johnson county, Texas, or his successors in office, twenty years from date with interest at 6% per annum; that thereafter said note was fully paid to V. Gray, then the County Treasurer of this county, and the said V. Gray as County Treasurer, did by an instrument in writing dated June 5th, 1888, recorded in Book 37 Page 542 deed records of Johnson County, Texas, release said vendors lien against said land and acknowledged the payment to him of the indebtedness evidenced by said note;

It further appearing to this Court that said John R. Ransone, as such Special Commissioner to make deeds, did sell to G. R. Shannon Tract No. 9, said Survey, containing 160 acres, and as part of the consideration said Shannon executed and delivered his vendor's lien note for the sum of \$320.00, payable to the County Treasurer of Johnson County, Texas or his successors in office, due twenty years after date with interest at 6% per annum, and said Ransone executed deed to said land to said Shannon dated May 11, 1882, recorded in Book 37, page 527 deed records of this county; that said Shannon either paid or caused to be paid said note, and V. Gray, then County Treasurer of this county executed and delivered a written Release of said lien, dated June 5, 1888, recorded in Book 37 page 541 deed records of Johnson county, Texas.

It further appearing to this Court that this County has received long ago the consideration paid for and agreed to be paid for such tracts of land and that the money so received has been used by the County for the purposes intended by law, but there may be some question as to whether or not the County Treasurer had the legal power to execute and deliver the releases above mentioned and to release the liens on said lands.

Therefore, we, the Commissioners Court of Johnson County, Texas, do, here and now, ratify and confirm the sales of said two above mentioned tracts of land to N. J. Ayers, his heirs and assigns, and to G. R. Shannon, his heirs and assigns, respectively, and do hereby ratify and confirm the two deeds and two releases above mentioned, and we do hereby authorize Honorable Roy Anderson, County Judge of Johnson county, Texas, to execute any and all instruments necessary so as to evidence ratification and confirmation thereof by this Court, and that this order be entered in the minutes of the Court.

ROY ANDERSON

County Judge

Upon motion of Commissioner G. T. Elliott, seconded by Commissioner Roy Wyatt, it is ordered by the Court that the rendition on 57 acres, J. B. Dupuy Survey, assessed in the name of G. V. Terry and Mrs. Minnie Pickens be reduced and the Tax Collector be and he is hereby authorized to put up cancellation certificate on the excess valuation, so that the Tax to be collected will not exceed \$350.00 for all Delinquent taxes due on this 57 acres.

Upon motion of Commissioner Roy Wyatt, Seconded by Commissioner H. A. Hadley, it is ordered by the court that the rendition on 2 acres, C. Chaney Survey, Abs. No. 124 assessed in the name of I. S. Jones be reduced and the Tax Collector by and he is hereby authorized to put up cancellation certificate on the excess valuation to collect not more than \$160.00 for all delinquent taxes due on this 2 acres.

THE STATE OF TEXAS,)
)
COUNTY OF JOHNSON.)

TO THE COMMISSIONERS' COURT OF JOHNSON COUNTY, TEXAS:

Now comes Georgia V. Terry, joined by her husband, C.L. Terry, who reside in Johnson County, Texas, and Mrs. Minnie Pickens, a feme sole, who resides in McLennan County, Texas, and would show unto the court as follows:

1.

That they are the sole owners in fee simple of that real estate in Johnson County, Texas, known and described as 57 ½ acres of the Jno. B. Dupuy Survey, in Johnson County, Texas.

2.

That said real estate has been assessed for State and County taxes and the taxes thereon appear by the tax rolls of Johnson County, Texas, to be delinquent for the years, 1931, 1932, 1933, 1936 (last half), 1937, 1938, 1939, 1940, and 1941. That assessment of said land for taxes for each and all years was and is void and invalid for the following reasons, to-wit:

(1) Because that said real estate was not rendered for taxation by all the true owners thereof and was not assessed at its fair value by the proper officer, as required by Art. 8, Sec. 11, of the Constitution of Texas.

(2) Because said property was rendered for taxation for each and all of said years by some person who was not the sole owner thereof, and the statement made by said person rendering the same for taxation did not show the names of all the owners of said real estate as required by Art. 7160, and 7162, Revised Civil Statutes of Texas of 1925.

(3) 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 excess of the value thereof.

(4) 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 land of a like nature and quality adjacent to said land and in the same community, and said renditions and assessments were far in excess of the true and correct amount for which the same should have been rendered and assessed for taxes, and the renditions and assessments thereof were arbitrary, discriminatory and have resulted and will result in the taking of said property without due process of law.

3.

Petitioners 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, petitioners pray the court that the rendition and assessment of said property 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 a list of such property be made and the said property be re-assessed 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.

IRWIN T. WARD
Attorney for Petitioners.

Upon the motion of Commissioner Wyatt, seconded by Commissioner Elliott, it was ordered by the court that the Food Stamp Issuing officer be authorized to sign checks on fund.

Under the provisions of Article 2351, Section 17 of the Revised Civil Statutes as amended there is hereby created a revolving fund out of \$6500.00 of the General Revenues of the County to be used only in cooperation with the United States Department of Agriculture to aid and assist in carrying out the purposes and provisions of the act of Congress of the United States pertaining to the distribution of commodities to the persons in need of assistance under the direction of the United States Department of Agriculture provided, however, that the County shall have on hand at all times, either the moneys appropriated to such revolving funds or fund or the equivalent thereof in stamps issued by the United States Department of Agriculture under the Food Stamp Plan, which stamps are convertible into cash at any time.

The Food Stamp Issuing Officer heretofore appointed by this Court is hereby authorized to carry out the provisions of this act and to administer the funds herein appropriated and is hereby authorized

to sign checks on said fund for the purchase of stamps issued by the United States Department of Agriculture under the Food Stamp Plan which stamps are convertible into cash at any time.

When the County ceases to participate in said Food Stamp Plan, the Issuing Officer shall forthwith reduce all stamps to their equivalent in money and return such money then on hand to the fund from which same was originally appropriated and render a full account of his administration thereof to the Commissioners' Court.

The County Auditor shall, once each month, audit the accounts of said Issuing Officer.

Upon the motion of Commissioner Elliott, seconded by Commissioner Wyatt, it was ordered by the Court that all properly approved bills be allowed. Carried.

IN RE: TAXES)
)
57 ½ Acres, of Jno. P. Dupuy)
Survey, Johnson County, Texas.)

This 1st day of October, 1942, it appearing that an order was heretofore entered declaring invalid the taxes assessed for the years, 1931, 1932, 1933, 1935, 1936, (last half), 1937, 1938, 1939, 1940, 1941, on 57 ½ acres of land, a part of the Jno. B. Dupuy Survey in Johnson County, Texas, which is owned by Georgia V. Terry, and Mrs. Minnie Pickens, and directing the Tax Assessor and Collector to prepare a list of such property in triplicate, together with a complete description of the property, for the years the assessments are found to be invalid and to present the same to this court, and such list having been prepared and submitted to this court, after consideration of the facts, the court is of the opinion and it is ordered and decreed that the assessments for the taxes thereon for the years, 1931, 1932, 1933, 1935, 1936 (last half), 1937, 1938, 1939, 1940, and 1941, inclusive, are invalid and the same are hereby cancelled, and such lists are hereby referred to the Tax Assessor and Collector who shall proceed at once to make an assessment of said property and when completed shall submit the same to this Court; the land involved is described as follows, to-wit:

57 ½ Acres of land, and being a part of the Jno. B. Dupuy Survey in Johnson County, Texas;
Georgia V. Terry and Mrs. Minnie Pickens are the sole owners in fee simple of said above described
property.

ROY ANDERSON
County Judge, Johnson County, Texas

IN RE: TAXES)
)
57 ½ Acres, of Jno. B. Dupuy)
Survey, Johnson County, Texas.)

This 1st day of October, 1942, came on to be heard the petition of Georgia V. Terry et al., for an
order declaring invalid assessments for taxes for the years, 1931, 1932, 1933, 1935, 1936, (last half),
1937, 1938, 1939, 1940, 1941, on 57 ½ acres of land, a part of the Jno. B. Dupuy Survey in Johnson
County, Texas, which is owned by Georgia V. Terry and Mrs. Minnie Pickens, a feme sole, 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

IN RE: TAXES)
)
57 ½ Acres, of Jno. B. Dupuy)
Survey, Johnson County, Texas.)

This 1st day of October, 1942, it appearing that the assessments for taxes for the years 1931,
1932, 1933, 1935, 1936 (last half), 1937, 1938, 1939, 1941, and 1941, inclusive, on 57 ½ Acres of land, a
part of the Jno. B. Dupuy Survey in Johnson County, Texas, which is owned by Georgia V. Terry and Mrs.
Minnie Pickens, and described in said order, were 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 values 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

...ooOoo...