

THE STATE OF TEXAS    ()

DECEMBER 8, 1947

COUNTY OF JOHNSON    ()

BE IT REMEMBERED THAT at a Regular Meeting of the Commissioners' Court of Johnson County, Texas, held on the 8<sup>th</sup> day of December, A.D. 1947, the following members were present: Hon H. G. Littlefair, County Judge; Commissioner Wyatt, Precinct #1, Commissioner Maddox, Precinct #3, Commissioner Roland, Precinct #4, and Louis B. Lee, County Clerk, Among other things they did the following:

A motion was made by Commissioner Wyatt and seconded by Commissioner Evans that all proper and endorsed bills be allowed and ordered paid, as submitted. All voted "Aye".

A motion was made by Commissioner Wyatt and seconded by Commissioner Evans that the Money in the Johnson County escrow Account in the amount of \$505.67 be transferred to the General Fund. All vote "Aye".

A motion was made by Commissioner Evans and Seconded by Commissioner Maddox that the deliguent County and State tax on the east half of lost 3 & 4 of Block 361 Cleburne, be assessed and accepted in the amount of \$50.00 All voted "Aye".

A motion was made by Commissioner Roland and seconded by Commissioner Maddox that an agreement be entered and contract signed with Sinclair Refining Company granting said Company permission to cross the county and to construct and maintain a pipe line and or telephone telegraph lines along or across public roads of Johnson County, as per contract set out below. All voted "Aye".

IN THE MATTER OF THE APPLICATION BY SINCLAIR REFINING COMPANY FOR PERMISSION TO LAY PIPE

LINE AND UNDER PUBLIC ROADS AND HIGHWAYS

On this 8<sup>th</sup> day of December, 1947, at a regular session of the Commissioners Court of Johnson County, Texas, there came on to be heard and considered the petition of Sinclair Refining Company, a Maine corporation, hereinbefore filed on \_\_\_\_\_, 1947, for permission to lay a pipe line over, across and under the public roads and highways in Johnson County, Texas, at the approximate points indicated on the sketch or platt attached to and made a part of said application, said application reading as follows:

THE STATE OF TEXAS            ()

COUNTY OF JOHNSON            ()

TO THE HONORABLE COMMISSIONERS COURT OF SAID COUNTY:

Now comes Sinclair Refining Company, a Maine Corporation, with permit to do business in the State of Texas, and respectfully represents to the Court as follows:

I.

That your petitioner is engaged in the construction of a pipe line, commencing at a point in Harris County, Texas, and extending generally in a northerly direction to a point in Tarrant County, Texas.

II.

That in construction said pipe line it is necessary to cross, pass over and under public roads and highways in Johnson County, Texas, at approximately the points (delineated in red) shown on the attached map or plat, which is made a part of this application. That said corporation, under its permit to do business in Texas, has all of the statutory powers set out in Chapter 15, Title 32, of the Revised Civil Statutes of Texas.

III.

Your petitioner represents that it is willing and able to respond in damages to Johnson County for any and all injuries caused to the property of said County by the construction of said pipe line, and will lay and maintain such line according to the orders and regulations of this Court, and will restore all roads, highways and ditches across which said pipe line may be laid to their former condition with the least possible interference with the use of such roads, highways and ditches.

WHEREFORE, your petitioner prays that this Court enter an order permitting Sinclair Refining Company to cross and pass over, and under, and to occupy the public roads and "highways" of Johnson County in the laying, construction, operation and maintenance of its said pipe line, and that said order contain the usual and customary provisions for the protection of the interests of Johnson County and the public in general.

Respectfully submitted,

SINCLAIR REFINING COMPANY

By Alexander Johnson

Executive in Charge of right of

way Signed by Alexander Johnson "

And the Court, after having heard and duly considered the same, and being of the opinion that said petition should be granted;

It is accordingly ordered, adjudged and decreed by the Court that said petition be and the same is hereby in all things granted, and the said Sinclair Refining Company, its successors and assigns, shall be and they are hereby granted the right and privilege of building, constructing, maintaining, using, operating, repairing and removing a pipe line, together with all appurtenances thereto, and also in connection therewith to erect, construct and maintain a telegraph and/or telephone line, and

appurtenances thereto, along, across, on, in, and under the public roads and highways, and the streets and alleys of unincorporated cities and towns of the said Johnson County, Texas, at approximately the points shown on the map or plat attached to said petition, with all necessary or appropriate rights of ingress and egress, and to so use, operate and maintain the said line for so long a period of time as it is used for the purposes thereunto intended by the said Sinclair Refining Company, subject, however, to the following provisions and conditions:

(1) In the event any injury shall be occasioned by said Sinclair Refining Company to Johnson County, whether real or personal property damage, by reason of the building, construction, maintenance, use, operation, or removal of said pipe line and appurtenances, or of said telegraph and/or telephone line and appurtenances, then sha in any such event, and upon demand therefor, the said Sinclair Refining Company binds and obligates itself to fully pay, indemnify, save and keep harmless the said Johnson County, for any and all damages, costs and expenses occasioned by such injuries, such payment to be made at Cleburne, in Johnson County, Texas.

(3) The said Sinclair Refining Company binds and obligates itself to bury and maintain said pipe line at such depth and in such manner, and to erect and maintain any telegraph or telephone line (if erected) in such manner as not to interfere with the ordinary traffice and public use of said roads and highways, or the natural or artificial drainage thereof, and to restore all roads, highways, ditches and bridges to the same condition in which found upon tenty thereof. In the event said Sinclair Refining Company, it successors or assigns, shall fail to comply with this obligation, then any and all damages occasioned by such failure shall be paid by them to Johnson County, at Cleburne, in Johnson County, Texas.

(3) At any point where such pipe line may cross a State maintained highway, the said Sinclair Refining Company binds and obligates itself to bury and install the pipe in accordance with such

standards and specifications as may be prescribed for similar work by the State Highway Department of the State of Texas, and to bore under the highway and encase the pipe in such manner and to such an extent that the top of the casing will be buried to a depth of not less than thirty (30) inches below the low points in the borrow pits on either side of the roadway; and at the points of road crossings, other than State maintained highways, the said Sonclair Refining Company binds and obligates itself to bury and install the pipe to a depth of not less than thirty (30) inches below the low points in the borrow pits on either side of the roadway.

The entry by the said Sinclair Refining Company upon the public roads, highways, and other public grounds of Johnson County, for the purpose for which the foregoing right-of-way is granted, shall constitute full evidence and be conclusive of the agreement of said Company to all of the terms and conditions of this grant.

Entered this 8<sup>th</sup> day of December, 1947.

H. G. Littlefair  
County Judge of  
Johnson County, Texas

J. R. Wyatt Commissioner Precinct No. 1  
S. W. Evans Commissioner Precinct No. 2

V. L. Maddox Commissioner Precinct No. 3  
M. W. Roland Commissioner Precinct No. 4

A motion was made by Commissioner Evans and seconded by Commissioner Maddox that the bid of Bailey's for metal Venetian Blinds with guides in the amount of One thousand two hundred and twenty three Dollars (\$1223.00) for the Johnson County Memorial Hospital be accepted. All Voted, "Aye".

A motion was made by Commissioner Wyatt and Seconded by Commissioner Maddox that Beth Reid, Secretary in the County Agents office be granted an increase in Salary from \$30.00 per month to \$50.00 per month effective Jan 1<sup>st</sup> 1948. All voted "Aye".

A motion was made by Commissioner Roland and Seconded by Commissioner Wyatt that the following resolution be passed requesting the State High-Way Department Engineer to made a survey of a proposed Farm to Market road from Grandview to the County line toward the Auburn Community. All voted "Aye".

BE IT RESOLVED:

That the Commissioners Court of Johnson County, Texas, in a regular meeting on December 8, 1947 on a motion made by Commissioner M. W. Roland and seconded by Commissioner Roy Wyatt and unanimously passed that:

The Commissioners Court of Johnson County, Texas respectfully requests the State Highway Engineer to order a survey made of a proposed Farm-to-Market Road from Grandview, Johnson County, Texas to the Johnson County line toward the Auburn community located in Ellis County.

Attest: \_\_\_\_\_ County Clerk \_\_\_\_\_ County Judge

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