

Monday, March 16, 1998  
Special Meeting Commissioners' Court  
Public Hearing

Judge Leath called the meeting to order at 9:00 a.m. The following members were present:

Jack Leath	County Judge
Keith Clark	Commissioner Pct. #1
Lynn Smith	Commissioner Pct. #2
Doyle Dickerson	Commissioner Pct. #3
Will Smith, Sr.	Commissioner Pct. #4
Janice McDaniel	County Clerk

Agenda item #1-'Petition for Creation of Brookeland Fresh Water Supply District, Sabine County - Final Determination - Take Action

Judge Leath said that this Court has been petitioned by a group of more than 55 people to form a fresh water supply district. These 55 people live within Sabine County and have been verified as registered voters of Sabine County and own land in Sabine County. Under chapter 53 of the Texas Water Code, fresh water supply district, the Commissioners' Court has the authority to create that district. Five board members and a Tax Assessor/Collector will have to be appointed temporarily until an election can be held on May 2. At that time, the voters of the district will vote whether to have the district or not. We are here today to determine if the people of the areas being considered to be part of this district are in agreement with this petition.

Judge Leath said that he will start with Mr. John Houchins, attorney representing the petitioners.

John Houchins said that the Brookeland Water Supply Corporation has made application to the Texas Water Development Board for a loan and a grant. The loan is to purchase certain water systems from the Brookeland Water Supply Corporation into a district. The grant is for 50 to 100 percent of the cost to install sewer in the areas that do not have sewer in the proposed district. The fresh water supply district was chosen as the direction to go because it does not and has not ask in this petition for any authority to levy taxes whatsoever. The only way they can levy taxes is to go to the voters and ask for the authority to do so and the voters of the district to vote to give permission to do it. A fresh water supply district can borrow money at a cheaper rate, tax exempt, than a water supply corporation. They would sell bonds to the state as a political subdivision of the state as opposed to a non-profit water supply corporation which has to pay certain taxes.

Mr. Houchins said that the petitioners were working with the Hogan Corporation to go in and look at the engineering and cost of putting in water, improving water where it was needed and sewer where they did not have it. Hogan Corporation did a study and then presented the study to Southwest Securities Corporation which are financial advisors. The cost for the people supplied by the Brookeland Water Supply Corporation by themselves would have been to high. The water

supplies in Shawnee Shores and Holiday Forest is for sale and the cost was looked at to purchase these systems and include them in the district. The estimated cost for water is \$20.00 a month and \$15.00 a month on the average to operate the sewer system. The \$15.00 does not include the putting in of the sewer system. This is for the day to day operations and maintenance of the sewer system. The capital cost of the installation of the sewer system will depend on the size of the grant from the EDAP program.

If the Commissioners' Court creates the district and the voters confirm, then other areas within Sabine County or even areas outside of Sabine County that is not included within this district can petition the board of directors to annex into the district. It would take 50 percent of registered voters in the area wanting to annex to petition. If the board agrees to annex, then the district will have to hold an election for the voters of the annex areas to determine if the voters want this.

Mr. Houchins asked that the Court adopt the presentation given by Chris Lane at the March 9 regular Commissioners' Court meeting.

Judge Leath swore in Steve Stange with the Hogan Corporation.

Mr. Stange said that a study was done of several areas in Sabine County by the Hogan Corporation for improvement in water and sewer systems. The improvements to Shawnee Shores and Holiday Forest for waste water system comes to \$1,055,260.00. Water improvements to Shawnee Shores and Holiday Forest comes to \$714,185.00. For water improvements to the Brookeland area is \$368,600.00. For construction of all improvements to all areas that the Brookeland district is looking into purchasing including some in Jasper County and Newton County is \$1,550,000.00. He said that in their opinion it would benefit the land and the residents. He presented maps to the Court and the audience showing the areas in the proposed district and areas to be considered for annexing at a later date.

Judge Leath said that notices were posted for the first hearing last Monday, March 9, but there were no residents from Shawnee Shores and Holiday Forest present at the meeting. At that time, it was decided by the Court to hold another public hearing and to be sure that the residents from these two areas are notified.

Judge Leath asked Mr. Houchins if the Fresh Water Supply District can be created from this petition in any other configuration other than the way it is outlined.

Mr. Houchins said that it can be created with one area or two or more areas.

John Eastham, Shawnee Shores, asked that once this is created, what will happen ten years down the road. What about taxing down the road?

Mr. Houchins said the board would have to go before the voters and ask to levy taxes.

Robert Block, Lakeside Park, said that he is serviced by the Brookeland Water Supply Corporation and he has not heard mention of any of this.

Charlie Bicket, board member of the Brookeland Water Supply, said that the board members are like everybody else. We work regular jobs and would try to get signatures after we get in from work. The next annual meeting of the Brookeland Water Supply Corporation is March 24 and at that time this was to be discussed. It is already on the agenda. We were not trying to do anything underhanded, we were just trying to make the May 2 election date.

Mr. Bicket said that they can not absolutely promise that there will never be any taxes. We

all know that anything is possible, but it will have to be voted on and passed by the people. He said that they knew that the systems in Holiday Forest and Shawnee Shores is for sale and thought that it would be better to have a voice in what happens by being part of this water district than owned by a private company or corporation.

Horace Foreman, spokesperson for Holiday Forest Property Owners Association, asked Judge Leath who are the qualified voters to vote for this?

Judge Leath said that it is the registered voters of Sabine County living within the areas stated in the petition.

David Clark, Holiday Forest, said that the notice was posted about 300 feet away from Holiday Forest on Jack Hays property. He said that \$5,000,000.00 is shown in the petition. If there are 315 hook-ups in this, it would be about \$66.00 a month over a 20 year period with not interest.

Mr. Houchins said that the petition is for authorization to issue 5 million in bonds for later need to acquire other systems. All that is for right now is 2.8 million.

Mr. Horace Foreman said that Holiday Forest wishes not to be included in this petition.

Mr. Harry Pen said that Mr. Richard Tilley, owner of the system in Holiday Forest, usually tells someone if he is going to be gone. Why did he not tell someone about this?

Jim Reed, Shawnee Shores, asked how long this project if going to take.

Steve Stange said it will take about 1 1/2 years.

Trisha Groff Holiday Forest, said that most of the people in Holiday Forest live on fixed incomes and we can not afford this.

Richard Tillery, owner of the water system in Holiday Forest, said that the TNRCC is making more inspections, pulling more samples and the water bills are going to go up. It is costing more and more and the cost is going to have to go up. He said that it is his opinion that the people would be better off to go with this petition.

Commissioner Will Smith asked Mr. Tillery what the water rates are now for Holiday Forest.

Mr. Tillery said that rates are \$10.00 right now.

Mr. Henry Levine asked how many representatives would Holiday Forest have on the board.

Mr. Houchins said that there would be an election every two years and board members would be elected at these times.

Commissioner Lynn Smith asked if a person was renting in one of the areas, but did not own property there, and his voter registration is for that area, can he vote?

Mr. Houchins said yes that he could vote.

Mr. Jim Reed, Shawnee Shores, asked about tap fees.

Mr. Steve Stange said that it would be up to the district to set tap fees.

John Eastham said that the largest number of voters is in Brookeland. The minimum is five, what is the maximum? Can there be more?

Mr. Houchins said yes there can be more.

Bobbie Clark, Holiday Forest, asked about the position of Tax Assessor/Collector on the board of directors for the district. If no taxes are to be levied, will this position not be exercised?

Mr. Houchins told Mrs. Clark that the law requires that you have a minimum of 5 directors and a Tax Assessor/Collector even though taxes are not to be levied.

Gladys Eastham, treasurer of the Shawnee Shores Property Owners Association, said that she has talked with Mr. Billy Mott, owner of the water system. He said that whether this thing goes through or not, he plans to sell the water system to the Pittsburg company. Ever since Mr. Mott took over our water system, our water bill has been \$15.00 a month with a .15 fee. He told her that the water in this system would still be the same water that we have now, which is undrinkable, except for the first of the month when they come out and fill it full of chorine.

Mrs. Eastham asked if they decided to join in this petition, is there a state regulated fee that will be charged?

Mr. Houchins said that there is not a set rate fee. There are several considerations that can be considered in setting the fee. If a private company buys the system and someone considers the fee to be unreasonable, they can have a hearing before the TNRCC to see if the rate is reasonable and necessary.

Mr. Bill Gregger, owner of Lakelan water supply, said that he gets letters from outside firms asking to buy his water system. He said that he could sell the system at any time. The cost is about \$8.50 a piece for water samples. He said that he spent about \$3,000/00 last year in water samples.

Mr. Houchins said that the state requires regulation. He said that the fee can be charged to the customers under the user fees instead of taxes.

John Eastham said that the biggest concern of the people of Shawnee Shores is what it is going to cost down the years. As for a sewer system, he would love to see a system put in. One is really needed, but what will the cost be. We do not want to get in over our heads.

Judge Leath said that the Court is going to recess for fifteen minutes and they would like for the people from each area involved to meet in groups and appoint one person to tell the Court what action your group has decided to go with. This is for Holiday Forest, Shawnee Shores, Lakelan and that part of Brookeland that the water supply corporation covers.

Court recessed at 11.00 a.m.

Court reconvened at 11:15 a.m.

Judge Leath called the meeting back to order and said that at this time the Court would like to hear from the representative for Holiday Forest.

Mr. Horace Foreman, representative for Holiday Forest, said that first he would like to thank the Court for making sure that everyone was properly notified. It is still the wish of the people of Holiday Forest to be excluded from this petition.

Judge Leath called for a representative from Shawnee Shores.

John Eastham, representative for Shawnee Shores, said that it is the wish of the people of Shawnee Shores to be a part of this petition.

Judge Leath called for a representative from Brookeland.

Charlie Bicket, representative for Brookeland, said he would like to apologize for the miscommunication. Maybe we should have come out door to door or sent flyers out or something. This was our fault. He hopes there are not any hard feelings. There is an annual meeting of the Brookeland Water Supply Corporation coming up on March 24 at 7:00 p.m. at the Brookeland School Cafeteria and he would like to invite everyone to attend. He would like to thank the Court. Brookeland is for the petition.

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Judge Leath that he feels real good about the participation we had in the meeting this morning. It makes decision making on his part a lot easier when he knows what the people that he is representing wants.

Judge Leath moved that the Commissioners' Court create a fresh water supply district consisting of that portion of the Brookeland Water Supply Corporation which lies within Sabine County, Shawnee Shores and the section of the Lakelan Addition that is in Sabine County. Commissioner Dickerson seconded. All voted for. Motion carried.

Judge Leath moved to appoint the following people to the temporary board of directors to what is known as the Brookeland Fresh Water Supply District subject to a May 2 election.

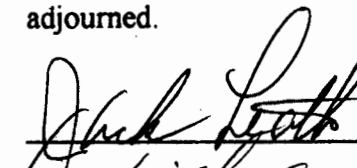
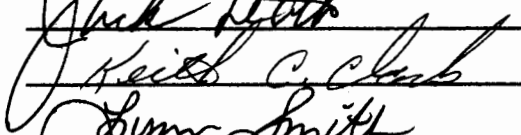
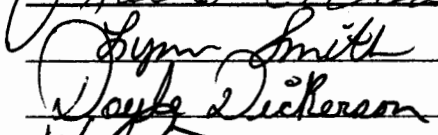
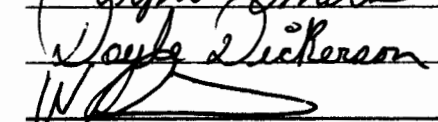

Alfred K. "Kent" Powell	Don Wood
D. E. "Doc" Willis	Coy Pinnex
John Eastham	Lillie Perry, Tax Assessor/Collector

Commissioner Lynn Smith seconded. All voted for. Motion carried.


Commissioner Clark moved to hold an election on May 2, 1998 for the creation of the Brookeland Fresh Water Supply District, Sabine County. Commissioner Lynn Smith seconded. All voted for. Motion carried.

There will be a voting location at the Six Mile Baptist Church or in the Shawnee Shores area, wherever possible and one at the Brookeland School.

Commissioner Will Smith moved to adjourn. Commissioner Dickerson seconded. Meeting adjourned.

	COUNTY JUDGE
	COMMISSIONER PCT. #1
	COMMISSIONER PCT. #2
	COMMISSIONER PCT. #3
	COMMISSIONER PCT. #4

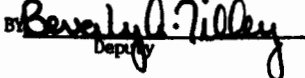
ATTEST:

 COUNTY CLERK

The State of Texas  
County of Sabine

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE FILED AND  
DUPLICATED IN THE COMMISSIONER COURT MINUTES OF SABINE  
COUNTY, TEXAS.

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JANICE MEDANIEL, COUNTY CLERK

By   
Deputy



STATE OF TEXAS ) (

COUNTY OF SABINE ) (

The Commissioners' Court of Sabine County, Texas, convened in regular session of said Court in the Sabine County District Courtroom, Main and Oak Streets, Sabine County Courthouse, Hemphill, Texas, at 9:00 a.m. on March 16, 1998, with the following members present, to-wit:

Jack Leath	County Judge
Keith Clark	Commissioner, Precinct No. 1
Lynn Smith	Commissioner, Precinct No. 2
Doyle Dickerson	Commissioner, Precinct No. 3
Will Smith, Sr.	Commissioner, Precinct No. 4
Janice McDaniel	County Clerk

and the following member(s) absent, to-wit: none, constituting a quorum, when among other business, the following was transacted:

ORDER OF SABINE COUNTY UPON HEARING AND CONSIDERING A PETITION FOR THE CREATION OF BROOKELAND FRESH WATER SUPPLY DISTRICT OF SABINE COUNTY, TEXAS; CALLING AN ELECTION AND FINDING AND STATING OTHER MATTERS GENERALLY RELATING THERETO

Judge Jack Leath introduced an Order and made a Motion that the same be adopted. Commissioner Doyle Dickerson seconded the Motion for adoption of the Order. The Motion carrying with the adoption of the Order prevailed by the following vote:

AYES: 5

NOES: 0

The County Judge thereupon announced that the Order had been duly and lawfully adopted. The Order adopted reads as follows:

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ORDER OF SABINE COUNTY UPON HEARING AND CONSIDERING  
A PETITION FOR THE CREATION OF BROOKELAND FRESH WATER  
SUPPLY DISTRICT OF SABINE COUNTY, TEXAS; CALLING AN  
ELECTION AND FINDING AND STATING OTHER MATTERS GENERALLY  
RELATING THERETO

WHEREAS, notice of this meeting of the Commissioners' Court of Sabine County, Texas, has been given in the manner and for the time required by law; and

WHEREAS, the County Judge of Sabine County, Texas has received and has filed with the County Clerk of Sabine County, Texas, for submission to the Commissioners' Court of Sabine County a petition [the "Petition"], signed by more than fifty (50) qualified voters who own taxable real property within the district to be known as "Brookeland Fresh Water Supply District of Sabine County, Texas" [the "District"]; which petition sets forth and meets all the requisites of section 53.014 of the Texas Water Code, amended; and

WHEREAS, upon being presented the petition, the County Judge considered the same and ordered a hearing to be held on March 16, 1998, at 9:00 a.m., in the Sabine County District Courtroom, Main and Oak Streets, Sabine County Courthouse, Hemphill, Texas, on the matters brought before it in the Petition; and the Court further ordered the posting of notice of this hearing as required by law; and

WHEREAS, pursuant to this notice, a hearing was held on the Petition and the Court considered testimony pertinent to the issues concerning the creation of the District; and;

WHEREAS, the Commissioners' Court finds that:

- (1) The petition is in due form of law, was properly executed and duly presented to the Commissioners' Court of Sabine County; and
- (2) The notice of hearing on the petition was given in the time and in the manner provided by law; and
- (3) The creation of the Brookeland Fresh Water Supply District of Sabine County, Texas with the boundaries hereinafter fixed by the Court is feasible and will promote the public safety, welfare, health, and convenience of persons residing in the proposed District; and

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(4) The projects to be undertaken by the proposed District are feasible, practical, and necessary; and

(5) The projects to be undertaken will benefit the land inside the proposed District.

WHEREAS, in view of the foregoing findings, the Court is of the opinion that the petition should be granted and that an election should be ordered; and

THEREFORE, BE IT ORDERED, ADJUDGED, AND DECREED BY THE COMMISSIONERS' COURT OF SABINE COUNTY, TEXAS THAT:

Section 1: The matters and facts recited in the preamble of this Order are hereby found and determined to be true and correct. All acts, conditions and things required to be done precedent to the calling of the hereinafter mentioned election have been properly done and performed and have happened in regular and due time, form and manner as required by law.

Section 2: The Commissioners' Court does grant the petition and fix the boundaries of the Brookeland Fresh Water Supply District of Sabine County, Texas in certain portions of the following subdivisions: Brookeland, Shawnee Shores and Lakelan. This area is more particularly described by metes and bounds in Exhibit A. An election shall be held in and throughout the areas encompassed by the District on May 2, 1998, which date is the first authorized uniform election date prescribed by the Election Code that allows sufficient time to comply with other requirements of law. At the election, the following propositions shall be submitted to the qualified voters who reside in the proposed District:

PROPOSITION NO. 1

CONFIRMATION OF THE CREATION OF BROOKELAND FRESH WATER SUPPLY DISTRICT OF SABINE COUNTY, TEXAS.

PROPOSITION NO. 2

SHALL THE DIRECTORS OF BROOKELAND FRESH WATER SUPPLY DISTRICT OF SABINE COUNTY, TEXAS, BE AUTHORIZED TO ISSUE THE BONDS OF SAID DISTRICT IN THE AMOUNT OF \$5,000,000.00, BEARING INTEREST AT A RATE OR RATES NOT EXCEEDING THE MAXIMUM INTEREST RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF SAID DIRECTORS AT THE TIME OF ISSUANCE, AND

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MATURING SERIALLY OR OTHERWISE AT SUCH TIMES AS MAY BE FIXED BY SAID DIRECTORS, FOR THE PURCHASE OF A WATER AND SEWER SYSTEM AND THE DESIGN, CONSTRUCTION, PURCHASE, AND ACQUISITION OF IMPROVEMENTS AND ADDITIONS THERETO, AND INCIDENTAL EXPENSES CONNECTED WITH SUCH IMPROVEMENTS AND TO PLEDGE THE NET REVENUES FOR THE PAYMENT OF THE BONDS?

In addition, the following six persons were recommended as directors and as Tax Assessor and Collector for the proposed District and their names shall be submitted to the qualified voters who reside in the proposed District:

Alfred K. "Kent" Powell	Director
Don Wood	Director
D. E. "Doc" Willis	Director
Coy Pinnix	Director
John Eastham	Director
Lillie Perry	Tax Assessor and Collector

Section 3: On May 2, 1998, the polls will be opened at 7:00 a.m. for voting and shall be closed at 7:00 p.m.

Section 4: The election shall be held in certain election precincts, which shall be established by the Court and which lie wholly or partially within the proposed District.

Section 5: The Early Voting Ballot Board (the "Board") is hereby created pursuant to TEX. ELEC. CODE ANN. §87.001, as amended, to process the early voting results. Gayle Ferguson is hereby appointed to be presiding judge of the Board. The presiding judge shall appoint at least two other members of the Board.

Section 6: The election shall be held and conducted in accordance with the Constitution and laws of the State of Texas, and the Constitution and laws of the United States of America; and only duly qualified voters residing within the boundaries of the proposed District shall be entitled to vote on the proposition.

Section 7: The ballots of the election shall conform to the requirements of the Texas Election Code, as amended, and shall have printed thereon the following:

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OFFICIAL BALLOT  
BALOTA OFICIAL

PROPOSITION NO. 1  
PROPOSICIÓN NÚM. 1

Confirmation of the creation of Brookeland Fresh  
Water Supply District of Sabine County, Texas

FOR DISTRICT  
A FAVOR DEL DISTRITO

Confirmación de la creación del Distrito Brookeland  
en el Condado de Sabine, Texas para la  
distribución de agua en el Condado de Sabine.

AGAINST DISTRICT  
EN CONTRA DEL DISTRITO

PROPOSITION NO. 2  
PROPOSICIÓN NÚM. 2

Issuance of \$5,000,000 bonds and the pledge of  
net revenues for the payment of the bonds.

FOR  
A FAVOR DE

La emisión de bonos en la cantidad de  
\$5,000,000 y la prenda de los ingresos netos  
para pagar los bonos.

AGAINST  
EN CONTRA DE

ELECTION OF OFFICERS  
ELECCIÓN DE OFICIALES

Director (Director)	Alfred K. "Kent" Powell	_____
Director (Director)	Don Wood	_____
Director (Director)	D. E. "Doc" Willis	_____
Director (Director)	Coy Finnix	_____
Director (Director)	John Eastham	_____
Tax Assessor and Collector (Asesor-Colector de Impuestos)	<u>Lillie Perry</u>	_____

Voting on said propositions and candidates for election shall be by paper ballot. Each voter desiring to vote in favor of the proposition shall place an "X" in the square beside the statement indicating "For" such proposition, and each voter desiring to vote against such proposition shall place an "X" in the square beside the statement indicating "Against" such proposition, in accordance with the Election Code, as


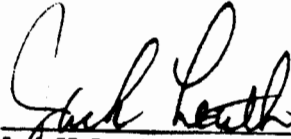
amended. In addition, the ballots shall also have blank spaces after the names of the directors in which a voter may write the names of other persons for directors.

Early voting shall be conducted by the County Clerk of Sabine County, Texas, namely Janice McDaniel. The main early voting polling place is designated as the Office of the County Clerk, Main and Oak Street, Sabine County Courthouse, Hemphill, Texas. Early voting shall be conducted from \_\_\_\_\_, April 15, 1998, through \_\_\_\_\_, April 28, 1998, and shall be conducted on the weekdays of the early voting period and during the hours that the County Clerk's office is regularly open for business, that is from 8:00 a.m. to 4:00 p.m. The mailing address to which ballot applications and ballots voted by mail may be sent is as follows: County Clerk of Sabine County, P.O. Drawer 580, Hemphill, Texas 75948. The ballot applications must be received by the County Clerk by April 24, 1998, at 4:00 p.m.

Section 8. The County Clerk of Sabine County, Texas is directed to prepare a notice of the election, containing the propositions submitted, the number of directors and other officers, if any, to be voted on, the classification of voters who are authorized to vote, the date, time, and place of holding the election, the hours that the polls will be open and the location of each polling place. The County Clerk shall cause the notice to be translated into the Spanish language.

Section 9. The notice of the election shall be published not earlier than the 30<sup>th</sup> day nor later than the 10<sup>th</sup> day before the election. For each precinct that is combined to form a consolidated precinct under Tex. Elec. Code. Ann. §42.008, as amended, not later than the 10<sup>th</sup> day before election day, a copy of such notice shall be posted in the polling place used in the preceding general election, notice of the precinct's consolidation, and the location of the polling place of the consolidated precinct. The County Clerk is hereby authorized and directed to cause said notice of election to be published and posted as required by the Election Code.

PASSED AND APPROVED this 16 day of March, 1998.

Jack H. Leath  
COUNTY JUDGE  
Sabine County, Texas

03-06-98

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ATTEST:

JANICE McDANIEL, County Clerk and Ex  
Officio Clerk of Commissioners Court of  
Sabine County, Texas

By: Janice McDaniel  
Deputy.

(SEAL OF THE COMMISSIONERS COURT)

03-06-98

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**EXHIBIT "A"**

**BROOKELAND  
FRESH WATER SUPPLY DISTRICT  
OF SABINE COUNTY, TEXAS**

1,828.61 acres of land, more or less, situated in Sabine County, Texas, as shown on the attached map and as located by the following descriptions:

**TRACT ONE. BROOKELAND** — Being 1,708 acres, more or less, out of the M. Cumings Survey, Abstract No. 11, Donald McDonald League, Abstract No. 36, E. S. Johnson League Abstract No. 26, S. W. Blount, Jr. Survey, Abstract No. 493, Sabine County, Texas, being more particularly described as follows:

Beginning at a point at the intersection of the centerline of U.S. Highway 96 and the centerline of the Jasper/Sabine County line;

Thence west for a distance of 4,635 feet, more or less, to the United States Corp of Engineer boundary line for Sam Rayburn Reservoir;

Thence in a northerly direction with the meanders of the United States Corp of Engineers boundary line for the Sam Rayburn Reservoir for a distance of 13 miles, more or less, to a point at the intersection of said boundary line and the west right-of-way line of the Gulf Coast and Santa Fe Railroad, said point being located, along the west right-of-way line of said railroad;

Thence in a southerly direction from the west right-of-way line of said railroad along McKim Creek for a distance of 1,180 feet, more or less, to the intersection of McKim Creek and Clear Branch;

Thence along Clear Branch for a distance of 6,700 feet, more or less, to a point at the intersection of Clear Branch and the Jasper/Sabine County Line;

Thence in a westerly direction along the Jasper/Sabine County Line for a distance of 7,305 feet, more or less, to the place of beginning.

**TRACT TWO. LAKELAN** — 69.25 acres of land, more or less, out of Abst. 30, Donald McDonald League, Sabine County, Texas, and more particularly described as follows:

Beginning at the southeast corner of East Texas Pulp and Paper Company 94 acre tract, concrete monument S-392 for corner from which a Pine 11" diameter bears N 8° 30' W 26.4 feet and a Pine 17" in diameter bears N 20° 00' W 27.5 feet;

Thence N 12° 06' E with east line of said 94 acre tract, 1,460 feet to concrete monument for corner from which a Hickory 5" in diameter bears N 81° 30' W 7.7 feet and a Post Oak 12" in diameter bears S 75° 00' E 18.2 feet;

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Thence with the meanders of McGee Bend (Sam Rayburn) Reservoir Tract No. 1109-2 as follows:

Thence N 74° 00' W 386 feet;

Thence N 17° 25' W 245 feet;

Thence N 26° 49' W 197 feet;

Thence N 31° 34' W 478 feet;

Thence N 47° 35' W 336 feet;

Thence N 26° 04' W 184 feet;

Thence N 65° 54' W 139 feet;

Thence S 79° 40' W 234 feet;

Thence S 62° 35' W 310 feet;

Thence S 43° 24' W 207 feet to concrete monument for corner from which a Red Oak 5" in diameter bears N 15° 00' E 14.9 feet and a Pine 13" in diameter bears N 15° 30' W 9.2 feet;

Thence with the meanders of McGee Bend (Sam Rayburn) Reservoir Tract No. 1109-1 as follows:

Thence S 28° 00' E 317 feet;

Thence S 03° 08' E 268 feet;

Thence S 04° 25' W 344 feet;

Thence S 89° 25' E 551 feet;

Thence S 00° 39' E 495 feet;

Thence S 49° 31' W 506 feet;

Thence S 03° 04' W 227 feet;

Thence S 550° 31' E 529 feet to concrete monument for corner from which a Black Gum 6" in diameter bears S 83° 00' W 16.8 feet and a Pine 8" in diameter bears N 12° 00' W 12.5 feet;

Thence S 78° 14' E with the south line of said 94 acre tract, 902 feet to the place of beginning.

Thence, south along east right-of-way line of Ella Blvd. approximately 550 feet;

Thence, east along north boundary line of Heather Glen approximately 200 feet;

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Thence, south along east boundary line of Heather Glen approximately 3,600 feet to the place of beginning.

TRACT THREE. SHAWNEE SHORES — 35.74 acres of land, more or less, located in Abstract 34, Eli Low League, Sabine County, recorded in Volume 140, being more particularly described as follows:

Beginning at approximately 3,670 feet east of the intersection of U. S. Highway 87 and Point Drive thence S 63° 44' W approximately 239 feet;

Thence N 26° 19' 47" W approximately 869 feet;

Thence S 58° 06' 29" W approximately 280 feet;

Thence S 27° 22' 22" E approximately 45 feet;

Thence S 62° 37' 38" W approximately 300 feet;

Thence N 27° 22' 22 W approximately 322 feet;

Thence N 58° 06' 29" E approximately 746 feet;

Thence S 26° 30' E approximately 96 feet;

Thence N 58° 45' E approximately 289 feet;

Thence N 31° 09' W approximately 237 feet;

Thence N 64° 29' E approximately 83 feet;

Thence S 63° 55' E approximately 154 feet;

Thence N 54° 43' E approximately 222 feet;

Thence N 23° 09' E approximately 226 feet;

Thence N 73° 30' E approximately 324 feet;

Thence N 11° 44' E approximately 115 feet;

Thence S 74° 38' E approximately 162 feet;

Thence N 56° 55' E approximately 146 feet;

Thence N 48° 54' E approximately 280 feet;

Thence N 86° 26' 15: E approximately 153 feet;

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Thence S 20° 58' 33" W approximately 250 feet;  
Thence S 70° 39' W approximately 167 feet;  
Thence S 10° 01' E approximately 182 feet;  
Thence S 84° 26' W approximately 226 feet;  
Thence S 32° 00' W approximately 158 feet;  
Thence S 31° 43' E approximately 330 feet;  
Thence S 65° 05' W approximately 200 feet;  
Thence S 76° 41' W approximately 200 feet;  
Thence N 84° 07' W approximately 119 feet;  
Thence S 06° 50' W approximately 68 feet;  
Thence S 47° 50' W approximately 105 feet;  
Thence S 88° 10' E approximately 125 feet;  
Thence S 64° 09' E approximately 157 feet;  
Thence S 52° 25' W approximately 120 feet;  
Thence S 15° 08' W approximately 136 feet;  
Thence S 40° 35' W approximately 137 feet;  
Thence S 17° 10' E approximately 87 feet;  
Thence S 59° 17' W approximately 65 feet;  
Thence S 00° 59' E approximately 150 feet;  
Thence S 55° 16' W approximately 133 feet;  
Thence S 52° 49' E approximately 81 feet;  
Thence S 86° 58' E approximately 91 feet;  
Thence S 14° 58' W approximately 156 feet;  
Thence S 63° 44' W approximately 261 feet to the place of beginning.

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### ORDER OF SPECIAL ELECTION

An election is hereby ordered to be held on May 2, 1998 for the purpose of:  
(date)

CREATION OF: BROOKELAND  
FRESH WATER SUPPLY DISTRICT  
OF SABINE COUNTY, TEXAS

Early voting by personal appearance will be conducted each weekday at

First Floor-Sabine County Courthouse-County Clerk's Office  
(location)

Note: If county clerk is not the early voting clerk, the information in the block is required.

between the hours of 8:00 a.m. and 4:00 p.m. beginning on April 15, 1998  
(date)  
and ending on April 28, 1998  
(date)

Applications for ballot by mail shall be mailed to:

Janice McDaniel  
(Name of Early Voting Clerk)

P. O. Drawer 580  
(Address)

Hemphill, Tx. 75948  
(City) (Zip Code)



The State of Texas  
County of Sabine  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE FILED AND  
DULY RECORDED IN THE COMMISSIONER COURT MINUTES OF SABINE  
COUNTY, TEXAS.  
VOL. DD PAGE 538A  
JANICE MCDANIEL COUNTY CLERK  
BY Louise Clark  
Deputy

Applications for ballot by mail must be received no later than the close of business on

April 24, 1998  
(date)

Issued this the 16 day of March, 19 98

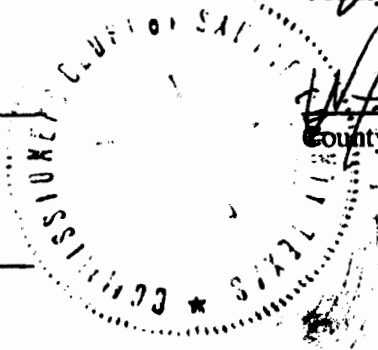
Jack Smith  
Signature of County Judge

Boyle Dickerson  
County Commissioner

Keith C. Clark  
County Commissioner

[Signature]  
County Commissioner

Lynn Smith  
County Commissioner



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