

**NOTICE OF MEETING OF THE COMMISSIONERS' COURT OF
HOCKLEY COUNTY, TEXAS**

Notice is hereby given that a Special meeting of the above named Commissioners' Court will be held on the 25TH day of April, 2013, at 9:00 A.M. in the Commissioners' Courtroom, Hockley County Courthouse, Levelland, Texas, at which time the following subjects will be discussed to-wit:

1. Read for approval the minutes of a Special Meeting of the Commissioners Court held Monday, April 15, 2013.
2. Read for approval all monthly bills and claims submitted to the court and dated through April 22, 2013.
3. Consider and take necessary action to approve refunds of overpaid property taxes.
4. Consider and take necessary action to approve the road bore of Windstream Communications on Georgia Road and King Road.
5. Conduct interview of applicants for Justice of the Peace, Precinct #4.

COMMISSIONERS' COURT OF HOCKLEY COUNTY, TEXAS

BY: *Sammy Cantu*
Commissioner

BY: *J. L. Barnett*
Commissioner

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of the above named Commissioners' Court, is a true and correct copy of said Notice on the bulletin board at the Courthouse, and at the east door of the Courthouse of Hockley County, Texas, as place readily accessible to the general public at all times on the 19TH day of April, 2013, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this day 19TH day of April, 2013.

Irene Gumula
Irene Gumula, County Clerk, and Ex-Officio
Clerk of Commissioners' Court, Hockley County, Texas

FILED FOR RECORD
AT _____ O'CLOCK _____ M.

APR 19 2013

Irene Gumula
County Clerk, Hockley County, Texas

SPECIAL MEETING
APRIL 25, 2013

Be it remembered that on this the 25th day of April A.D. 2013, there came on to be held a Special meeting of the Commissioners' Court, and the Court having convened in Special session at the usual meeting place thereof at the Courthouse in Levelland, Texas, with the following members present to-wit:

Larry Sprowls	County Judge
Curtis D. Thrash	Commissioner Precinct No. 1
Larry Carter	Commissioner Precinct No. 2
J. L. "Whitey" Barnett	Commissioner Precinct No. 3
Thomas R "Tommy" Clevenger	Commissioner Precinct No. 4

Irene Gumula, County Clerk, and Ex-Officio Clerk of Commissioners' Court when the following proceedings were had, to-wit:

Motion by Commissioner Barnett, seconded by Commissioner Thrash, 4 Votes Yes, 0 Votes No, that the Minutes of a Special meeting of the Commissioners' Court, held on the 15th day of April A.D. 2013, be approved and stand as read.

Motion by Commissioner Carter, seconded by Commissioner Clevenger, 4 Votes Yes, 0 Votes No, that all monthly claims and bills, submitted to the Court, and dated through April 25, A.D. 2013, be approved and paid as read.

Motion by Commissioner Clevenger, seconded by Commissioner Carter, 4 Votes Yes, 0 Votes No, that Commissioners' Court grant permission and authority to Windstream Communications to lay, construct, operate and maintain buried phone lines transporting phone service under and across certain county roads, situated in Commissioners' Precinct No. 4, Hockley County, Texas as set forth in the below recorded Petition, Exhibit and Order of the Court.

RECORD, PETITION, EXHIBIT AND ORDER OF THE COURT



101 E Tate
Brownfield Tx 79316

April 17, 2013

Hockley County Courthouse
County Judge
802 Houston St
Levelland, Texas 79336

Subject: Right-of Way County Notification—Anton, Tx – W0740030235-00029

Attached you will find a notice of proposed installation of buried cable and road bores along the county right-of-way as shown on the attached map.

Please contact us by telephone or return mail within ten days as to any conflicts of special requirements which will or may arise from placement of cable. If we do not receive notice of conflicts, we will proceed as planned.

If you need further assistance please don't hesitate to contact me at 806-637-7681. Your cooperation is appreciated.

A handwritten signature in black ink that reads "Raymond K. Pickett". The signature is written in a cursive style.

Raymond Pickett
OSP Engineer

**BEFORE THE HONORABLE BOARD OF COUNTY COMMISSIONERS
HOCKLEY COUNTY, TEXAS**

**IN THE MATTER OF THE APPLICATION OF Windstream Communications FOR
AUTHORITY TO USE A PART OF THE PUBLIC ROADS OF HOCKLEY COUNTY, TEXAS**

PETITION

Comes now, the Petitioner, Windstream Communications, a corporation of the State of Texas, and petitions this Honorable Board for the right and authority to lay, construct, operate and maintain buried phone lines under and across certain county roads situated in Hockley County, Texas, which said buried phone lines are to be used for the purpose of transporting phone service from the Petitioner's sources of supply to Petitioner's markets.

The location of the points at which Petitioner wishes to undercross said county roads with said phone lines and the general specifications are more particularly described on a map marked Exhibit "A" and general specifications marked Exhibit "B", all of which are attached hereto and made a part of this application. Petitioner represents and states that if granted the authority herein requested, it will conform with and abide by the rules of all persons and bodies having jurisdiction and by the following conditions:

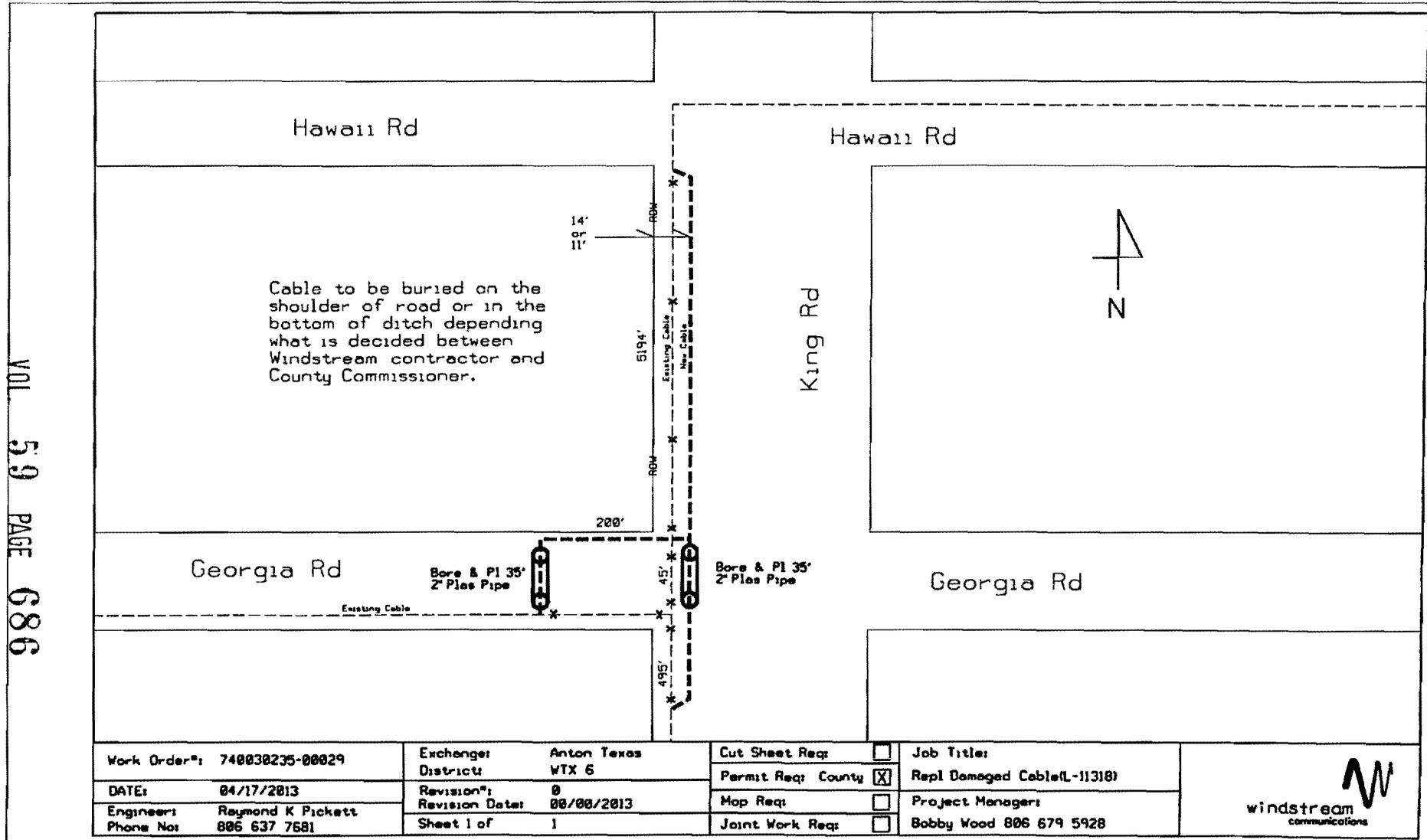
1. The Petitioner shall, in constructing said phone lines undercrossings cause the very minimum of inconvenience and obstruction of public travel along said roads, and, further, shall operate and maintain said phone lines undercrossings in a manner so as not to inconvenience, endanger or obstruct public travel along said roads.
2. Upon the completion of each phone lines undercrossing constructed hereunder Petitioner shall immediately backfill, re-construct and replace the portions of the roads across which said phone lines are laid and constructed so that such roads shall be in equally as good a condition as prior to such construction.
3. So long as said phone lines are maintained and operated under said roads Petitioner shall be responsible for doing any work which, due to the existence of said phone lines undercrossings, needs to be done on said roads at the location thereof, all in order to maintain said roads, at such points, in a condition equal to other portions of said county roads.
4. Should Petitioner remove said phone lines from any of said roads, it will replace and recondition the road concerned, at the location of said removal, in substantially the same condition as it was prior to such removal, all liability of Petitioner for the maintenance and reconditioning of such roads shall cease as soon after such removal as the COUNTY OF HOCKLEY has approved the maintenance and reconditioning work done by Petitioner.
5. Petitioner agrees that if at any time the County of Hockley shall deem it necessary to make any improvements or changes on all of or any part of the right of way of the county roads which affect the Utility as located under this order, then and in such event, the Petitioner or his Assignee shall make such reasonable changes of its facilities located within such right of way as may be deemed necessary, such work to be done without cost to Hockley County, Texas.
6. The construction or laying of said phone lines by Petitioner hereunder shall be considered and shall constitute and acceptance of this order and of all of the terms and conditions herein set forth.
7. Petitioner agrees that if at any time the County of Hockley deems it necessary that these crossings be encased in accordance with the then existing State Highway specifications, Petitioner agrees to do so at its own expense.

Wherefore, your Petitioner respectfully prays that your Honorable Board enter and order herein authorizing Petitioner to use and occupy the portions of the roads in Hockley County, Texas, more particularly herein above set out and described and at the locations shown and set out in said Exhibits "A" and "B" attached to this application.

DATED this 17th day of April 2013.

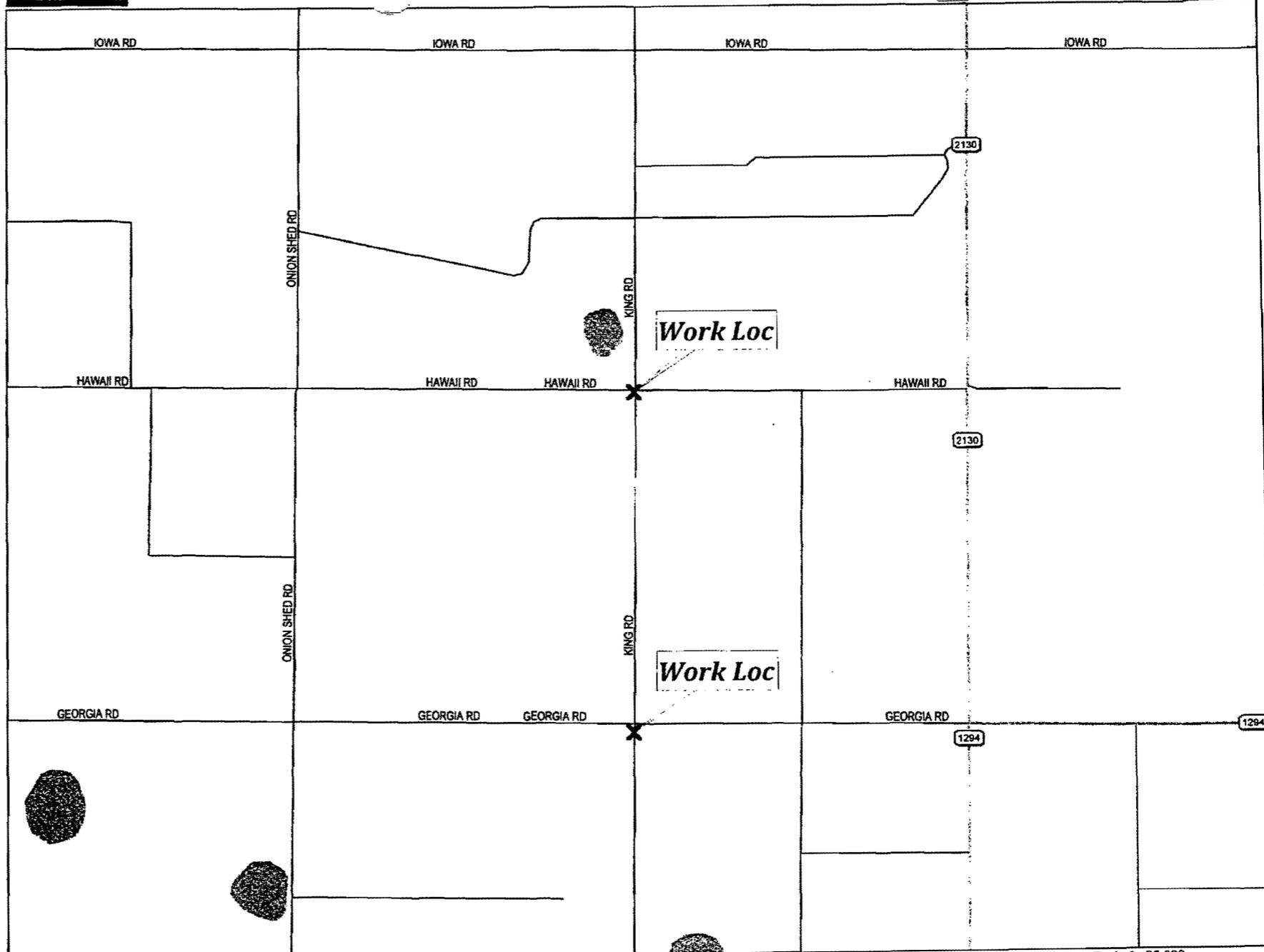
BY Raymond K. Pickett

VOL 59 PAGE 686

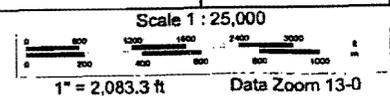


Work Order#: 740030235-00029	Exchange: Anton Texas	Cut Sheet Req: <input type="checkbox"/>	Job Title:
DATE: 04/17/2013	District: WTX 6	Permit Req: County <input checked="" type="checkbox"/>	Repl Damaged Cable(L-11318)
Engineer: Raymond K Pickett	Revision#: 0	Mop Req: <input type="checkbox"/>	Project Managers
Phone No: 806 637 7581	Revision Date: 08/08/2013	Joint Work Req: <input type="checkbox"/>	Bobby Wood 806 679 5928
Sheet 1 of 1			





VOL. 59 PAGE 687



BEFORE THE HONORABLE BOARD OF COUNTY COMMISSIONERS
HOCKLEY COUNTY, TEXAS

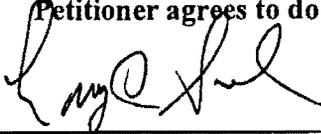
IN THE MATTER OF THE APPLICATION OF Windstream Communications FOR
AUTHORITY TO USE A PART OF THE PUBLIC ROADS OF HOCKLEY COUNTY, TEXAS

ORDER

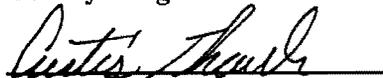
This cause coming on to be upon the petition of Windstream Communications, hereinafter referred to as "Petitioner". The Board finds that in order that Petitioner may carry out its corporate objects and powers, it is necessary for it to lay, construct, operate and maintain buried gas line across certain county roads situated in Hockley County, Texas, as set forth in the Petitioner's application filed herein.

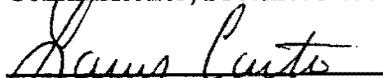
THEREFORE, IT IS HEREBY ORDERED that, subject to the conditions herein after set forth, said Petitioner, Windstream Communications is hereby granted permission and authority to lay, construct, operate and maintain buried gas line across certain county roads at the locations set forth in Exhibits "A" and "B" attached to the application of Petitioner herein, which Exhibits "A" and "B" and application are hereby made a part of this order as fully as if set out in length herein provided.

1. The Petitioner shall, in constructing said buried gas line undercrossings cause the very minimum of inconvenience and obstruction of public travel along said roads, and, further, shall operate and maintain said buried gas line undercrossings in a manner so as not to inconvenience, endanger or obstruct public travel along said roads.
2. Upon the completion of each buried gas line undercrossing constructed hereunder Petitioner shall immediately backfill, re-construct and replace the portions of the roads across which said buried gas line are laid and constructed so that such roads shall be in equally as good a condition as prior to such construction.
3. So long as said buried gas line are maintained and operated under said roads Petitioner shall be responsible for doing any work which, due to the existence of said buried gas line undercrossings, needs to be done on said roads at the location thereof, all in order to maintain said roads, at such points, in a condition equal to other portions of said county roads.
4. Should Petitioner remove said buried gas line from any of said roads, it will replace and recondition the road concerned, at the location of said removal, in substantially the same condition as it was prior to such removal, all liability of Petitioner for the maintenance and reconditioning of such roads shall cease as soon after such removal as the COUNTY OF HOCKLEY has approved the maintenance and reconditioning work done by Petitioner.
5. Petitioner agrees that if at any time the County of Hockley shall deem it necessary to make any improvements or changes on all of or any part of the right of way of the county roads which affect the Utility as located under this order, then and in such event, the Petitioner or his Assignee shall make such reasonable changes of its facilities located within such right of way as may be deemed necessary, such work to be done without cost to Hockley County, Texas.
6. The construction or laying of said buried gas line by Petitioner hereunder shall be considered and shall constitute and acceptance of this order and of all of the terms and conditions herein set forth.
7. Petitioner agrees that if at any time the County of Hockley deems it necessary that these crossings be encased in accordance with the then existing State Highway specifications, Petitioner agrees to do so at its own expense.



County Judge


Commissioner, Precinct No. 1


Commissioner, Precinct No. 2

4-25-13
DATE


Commissioner, Precinct No. 3

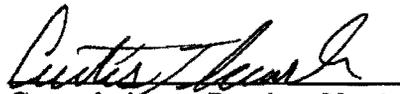

Commissioner, Precinct No. 4

Motion by Commissioner Thrash , seconded by Commissioner Barnett
4 Votes Yes, 0 Votes No, that Commissioners' Court approve the tax refund in the amount of One Thousand Nine Dollars and Ninety Six Cents. (\$1009.96) to Michael Franklin approve the tax refund in the amount of One Thousand Eight Hundred Forty Five Dollars and Ninety Four Cents (\$1843.94) to Sean and Gina Kauffman, approve the tax refund in the amount of Five Hundred Dollars (\$500.00) to Margaret Hudspeth, approve the tax refund in the amount of Five Thousand Two Hundred Four Dollars and Twenty One Cents (\$5204.21) to Wells Fargo/ICG, approve the tax refund in the amount of Seven Hundred Sixty Six Dollars and Two Cents (\$766.02) to Secrest Dorothy Unitrust, as per request of Debra Bramlett, Tax Assessor/Collector. Treasurer.

Commissioners' Court interviewed the following applicants for Justice of the Peace, Precinct #44., Cynthia Harper and Tony Steven (Steve) Moore. No action taken.

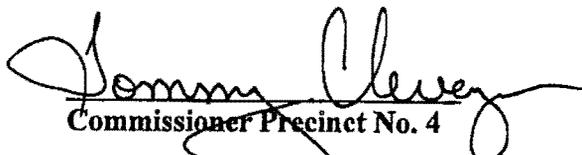
There being no further business to come before the Court, the Judge declared
Court adjourned, subject to call.

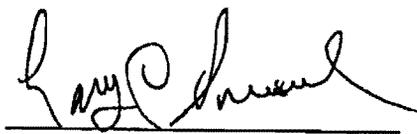
The foregoing Minutes of a Commissioners' Court meeting held on the 25th
day of April, A. D. 2013, was examined by me and approved.

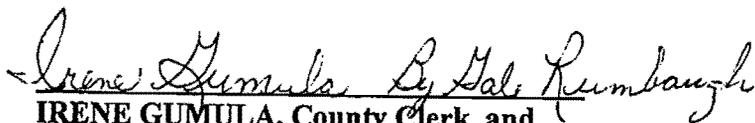

Commissioner, Precinct No. 1


Commissioner, Precinct No. 2


Commissioner, Precinct No. 3


Commissioner Precinct No. 4


County Judge


IRENE GUMULA, County Clerk, and
Ex-Officio Clerk of Commissioners' Court
Hockley County, Texas

