

restriction

H. H. COFFIELD

TO: RESTRICTIONS

COFFIELD ADDITION SECTION 4

All Lots Shown in Coffield Addition Section 4 shall be sold Subject to the Following Minimum Conditions, Restrictions, Covenants and Uses.

The Subdivision Plat, Coffield Addition Section 4, is subject to the following restrictions, protective covenants and conditions which are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1979, at which time said restrictions protective covenants, and conditions shall be automatically extended for successive periods of Ten (10) years unless by vote of the majority of the then owners of the lots in said subdivision, it is agreed to change the same in whole or in part.

(a) All lots in the Coffield Addition, (Section 4) are restricted to residential uses exclusively, and there shall be no structures erected on any lot other than a single family or two family dwelling not to exceed 2½ stories in height and private garages or carports which may have servants quarters or storage rooms attached or over them. Provided one or more churches may be erected therein with approval in writing of H. H. Coffield.

(b) No dwelling, nor any part thereof, shall be erected less than twenty-five (25) feet, nor more than thirty-five (35) feet from the front lot line on any lot in Coffield Addition, (Section 4); nor shall any building be erected less than five (5) feet from any interior lot line, nor less than ten (10) feet from any side street line; nor less than ten (10) feet from any rear lot line; however, this restriction shall not be applicable to exclude the building of a private garage or other out buildings on the rear one-third of any lot except on corner lots where this restriction will be strictly observed insofar as the outside line of such corner lots is concerned. No fence, wall or hedge shall be built or maintained forward of the front wall line of the respective house.

(c) No lot or lots shall be re-subdivided to provide a building space having an area less than the minimum area for lots in the addition as originally platted.

(d) All dwellings erected in Coffield Addition, (Section 4) must be equal to or better than minimum construction requirements on file in the office of H. H. Coffield, which requirements shall at all times be equal to or better than the minimum requirements of the City Zoning Ordinance adopted December 13, 1951. If, at any time, there is any dispute or misunderstanding as to the terms or meanings of said requirements or as to the conformity of any dwelling being built thereunder, then such matters, or dispute, or misunderstandings shall be submitted to H.H. Coffield for determination and the decision of said H.H. Coffield shall be final unless there be involved a question of compliance with the said City Zoning Ordinance in which event the question shall be submitted to the Council of the City of Rockdale for determination and decision.

No Dwelling shall be permitted on any lot at a cost of less than \$7,000.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground area of the main structure, in the case of a one family one-story structure, exclusive of one-story open porches and garages, shall not be less than 650 square feet, nor less than 600 square feet for a dwelling of more than one story.

(e) All dwellings erected in Coffield Addition, (Section 4), must face the ~~main~~ street in front of the lot.

No trailer or trailerhouse, prefabricated house, basement, tent, shack, garage apartment or servants quarters shall ever be used as a dwelling, temporary or permanent, in evasion of

COFFIELD ADDITION SECTION 4

**99; DEDICATION & PLAT
CITY OF ROCKDALE**

**THE STATE OF TEXAS
COUNTY OF MILAM**

KNOW ALL MEN BY THESE PRESENTS:

That I, H. H. Coffield, owner of a certain parcel of land out of the E.C. Robertson Survey in Milam County, Texas, described as a 100 acre tract in a deed recorded in Volume 278, Page 399 of the Deed Records of Milam County, Texas, do hereby subdivide and adopt this map or plat as my subdivision of a portion of said 100 acre tract to be known as **COFFIELD ADDITION, SECTION 4**, consisting of lots 11 through 36 Block 1; Lots 7 through 21, Block 2; Lots 4 through 37, Block 3; Lots 2 through 10, Block 4; and Lots 1 through 16, Block 5; and do hereby dedicate to the public all my interests in the streets and reserve easements in the rear and along side of lots for utilities all as shown on the attached map or plat.

Witness my hand, this 27th day of March, A. D. 1954.

H. H. Coffield

**THE STATE OF TEXAS
COUNTY OF MILAM**

Before me, the undersigned, ^{authority,} a Notary Public in Milam County, Texas, on this day personally appeared H. H. Coffield, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as his act and deed, for the purposes and consideration therein stated.

Given under my hand and seal of office, this the 27th day of March, A. D. 1954.

(SEAL)

Jessie Palmer, Notary Public, Milam County, Texas.

FILED FOR RECORD 8 O'clock A. M., 3rd day of April 1954.

Homer Nabours, County Clerk Milam Co., Texas

By Lee J. O'Neill, Deputy

these restrictive covenants and conditions.

(f) No dwellings, structures, or buildings of any type shall be moved into Coffield Addition, (Section 4) for permanent use thereon.

(g) All restrictive covenants and conditions herein shall apply to future remodeling or building and to rebuilding in the case of destruction by fire or the elements.

(h) An easement is reserved over portions of various lots as shown on the Plat for utility installation and maintenance, and no electric, telephone or other poles, guys or utility structures shall be permitted above the ground on any lot except in said easements, and except that ornamental standards for street lighting may be installed anywhere in said Addition.

(i) No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or signs attached by a builder to advertise the property during the construction and sales period.

(j) No animal, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.

(k) No lot shall be used or maintained as a dumping ground and rubbish, trash garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for storage or disposal of such material shall be kept clean and in sanitary condition.

(l) No individual water supply system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the Sanitary Engineer of Rockdale. Approval of such system as installed shall be obtained from such authority.

(m) No individual sewage-disposal system shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the Sanitary Engineer of Rockdale. Approval of such system as installed shall be obtained from such authority.

(n) No fence, wall hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be permitted to remain on any corner lot within a triangle area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a lot property corner from the intersection of the said property lines extended. The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient heights to prevent obstruction of such sight lines.

(o) Any mortgage or lien on all or any part of any lot or on the improvements thereon, or improvements abutting, or for public or private improvements placed in said addition, shall be subordinate and inferior to these restrictive covenants and conditions.

(p) No obnoxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

(q) No oil drilling, oil development operations, oil refineries, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot;

If H. H. Coffield, his heirs or assigns shall violate or attempt to violate any of the restrictive covenants and conditions herein it shall be lawful for the City of Rockdale, Texas, or any other owner of any property in this subdivision to prosecute any proceedings at law or

in equity, against such owners violating or attempting to violate any such restrictive covenants and conditions, and either to prevent him or them from doing so and/or to recover damages or other dues for such violation.

Invalidation of any of these restrictive covenants and conditions by judgment or court order shall in no wise affect any of the other restrictive covenants and conditions which shall remain in full force and effect.

WITNESS MY HAND this 27th day of March, 1954.

H. H. Coffield.

THE STATE OF TEXAS
COUNTY OF MILAM | BEFORE ME, the undersigned, a Notary Public, in and for Milam County, Texas, on this day personally appeared H. H. Coffield, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 27th day of March, 1954.

(SEAL) Josie Palmer, Notary Public, Milam County, Texas.

This is to certify that resolution showing acceptance of Coffield Addition, Section 4 (Four) by action of the City Council of the City of Rockdale, appears in Vol. J, Page 197 of regular meeting, March 30, 1954. Plat of same being filed in City office of City of Rockdale, Texas.

WITNESS my hand and seal of City of Rockdale, Texas this the 31st day of March, 1954.

(SEAL) N. E. Alford, Sec'y & Mgr., City of Rockdale.

W. P. Hogan, Mayor, City of Rockdale.

FILED FOR RECORD 8 O'clock A. M., 3 day of April, 1954,

Homer Nabours, County Clerk Milam Co., Texas

By Leo J. O'Neill, Deputy.

THE CITIZENS NATIONAL BANK

TO: RELEASE

THE STATE OF TEXAS

SHERWOOD COBB ET UX

COUNTY OF MILAM

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the payment in full according to the face and tenor thereof, of a certain promissory note (Deed of Trust Note) described in a certain Deed of Trust executed by Sherwood/^{Cobb} and wife Nancy Cobb to The Citizens National Bank of Cameron, Texas, dated the 19th day of May 1949, and recorded in Vol. 25 on page 1 of the records of Deeds of Trust of Woods County, Texas, and Vol. 94 on page 320 Deed of Trust records of Milam County, Texas, The Citizens National Bank of Cameron, Texas the owner and holder of said note, do hereby release the lien lien shown by said record to exist upon the following described land, to secure payment of said note, viz.:

FIRST TRACT: All that certain tract and parcel of land lying and being situated in Milam County, Texas, and being out of and a part of the James Neille League, Abstract No. 2780, and being a portion of the land conveyed to Grantors By T. W. Stoneraod Jr., by deed bearing date of November 17, 1910, and recorded in Volume 100 page 170 of the Deed records of Milam County, Texas, and being 20 acres particularly described by metes and bounds as follows, to-wit: Beginning at a point where the east line of said Stoneraod tract intersects the south line of Highway No. 69, for the N.E. corner of this; Thence N. 71 W. with the south line of said Highway 323 vrs to the west line of said Stoneraod tract for the N.W. corner of this; thence S. 19 W. with the west line of said Stoneraod tract 349½ vrs to S.W. corner hereof; thence S. 71 E parallel to the north line hereof, 323 vrs to the east line of said Stoneraod tract for S.E.

C23
P 618

EXHIBIT B

WARRANTY DEED

6971

THE STATE OF TEXAS

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|
|

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MILAM

That the Estate of H. H. Coffield, Deceased, acting by and through its duly authorized Joint-Independent Executors, Robert L. Elliott and Charles N. Avery, Jr., of the County of Milam and State of Texas for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto the City of Rockdale, a municipal corporation located in Milam County, Texas, all of the following described real property in Milam County, Texas to-wit:

All that certain tract or parcel of land situated in Milam County, Texas, being a part of the Jose Leal Survey, A-29, and being a part of a 42.00 Acre Tract "Fifth Tract" conveyed from J. W. Garner, Et. Ux., to H. H. Coffield by Deed dated July 2, 1953 and recorded in Volume 281, Page 280 of the Milam County Deeds of Record and being a part of a 62.50 Acre Tract "Ninth Tract" conveyed from J. W. Garner, Et. Ux., to H. H. Coffield by Deed dated July 2, 1953 and recorded in Volume 291, Page 280 of the said Deed Records and being more particularly described as follows, to wit:

COMMENCING at a point for the Northwest corner of the said 42.00 Acre Tract and for the Southwest corner of the said 62.50 Acre Tract;

THENCE N71°00'00"E - 884.12' with the division line between the said 62.50 Acre Tract and the said 42.00 Acre Tract to a fence corner post in the fenced North R.O.W. of a county road for the PLACE OF BEGINNING and for the West corner of this;

THENCE with a fence as follows:

N63°31'28"E - 455.76' to a fence corner post for an exterior all corner of this;

N69°20'49"E - 102.84' to a fence corner post for the Northeast corner of this;

THENCE S19°00'00"E passing the Northeast corner of the said 42.00 Acre Tract at 62.26', a total distance of 867.15' to a point in the fenced North R.O.W. of the said county road for the Southeast corner of this;

THENCE with the fenced North R.O.W. of the said county road as follows:

N30°26'24"W - 70.56' to a fence corner post for an interior all corner of this;

N39°41'00"W - 172.70' to a fence corner post for an interior all corner of this;

N57°30'42"W - 462.68' to a fence corner post for an interior all corner of this;

N61°05'12"W - 285.84' to the PLACE OF BEGINNING containing 4.682 Acres of Land.

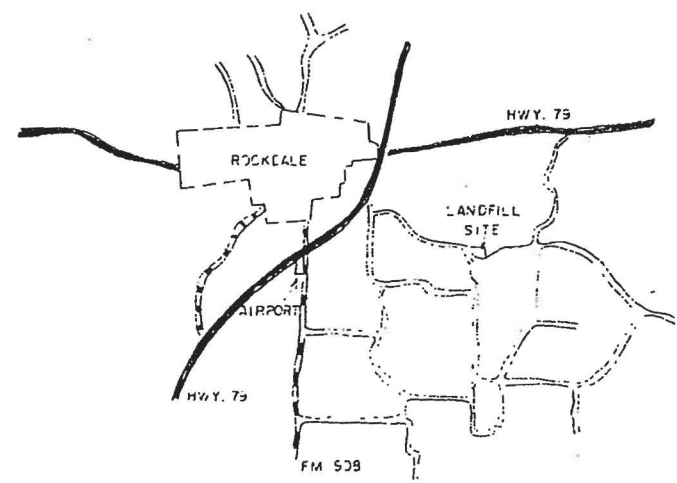
SAVE AND EXCEPT:

It is expressly understood and agreed that the Seller herein reserves and retains an undivided one-half (1/2)

TEXAS STATE ARCHIVES
 1995 JAN 18 PM 1:15
 SUBMITTED
 SOLID WASTE PERMIT

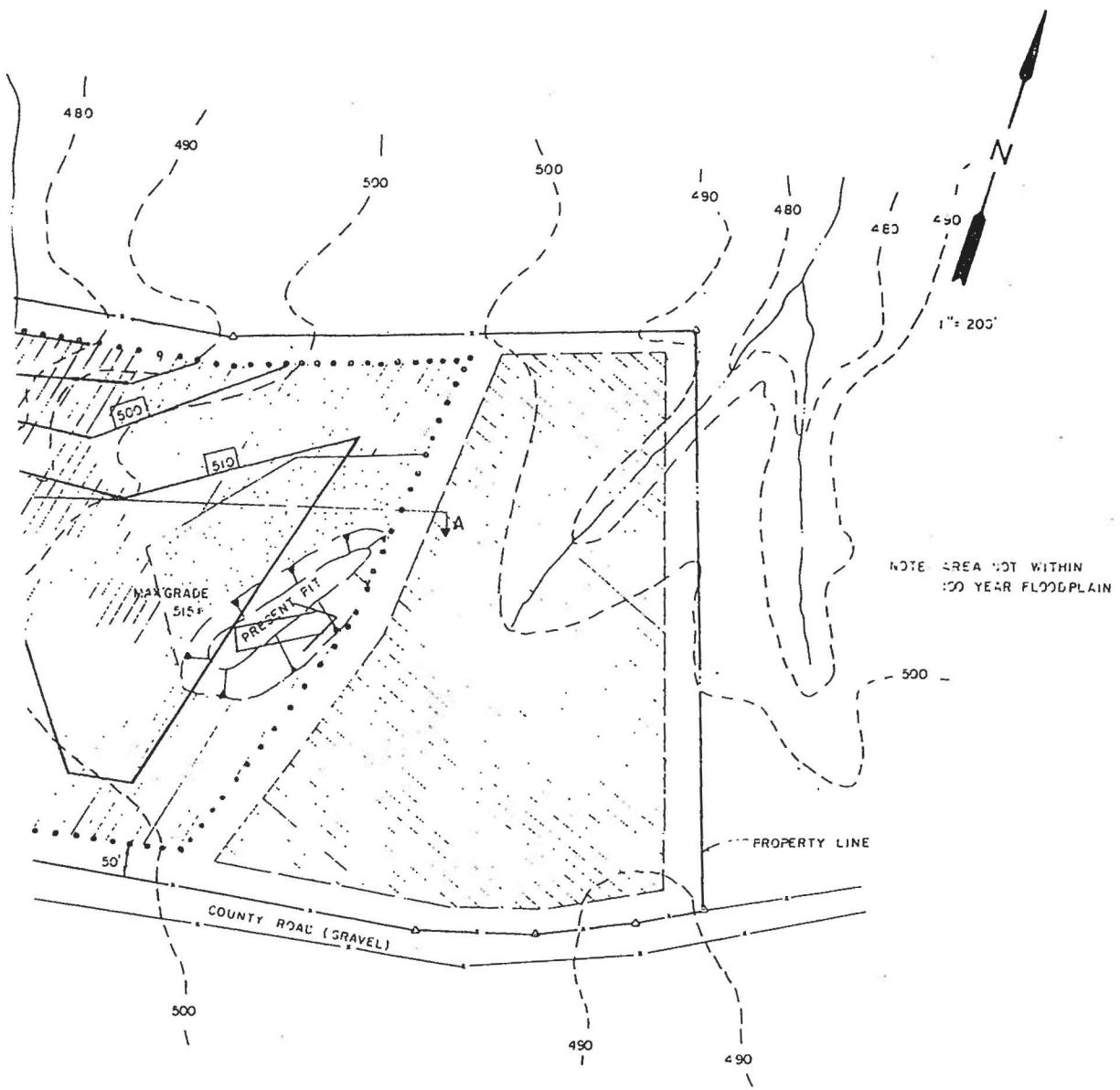
LOCATION MAP

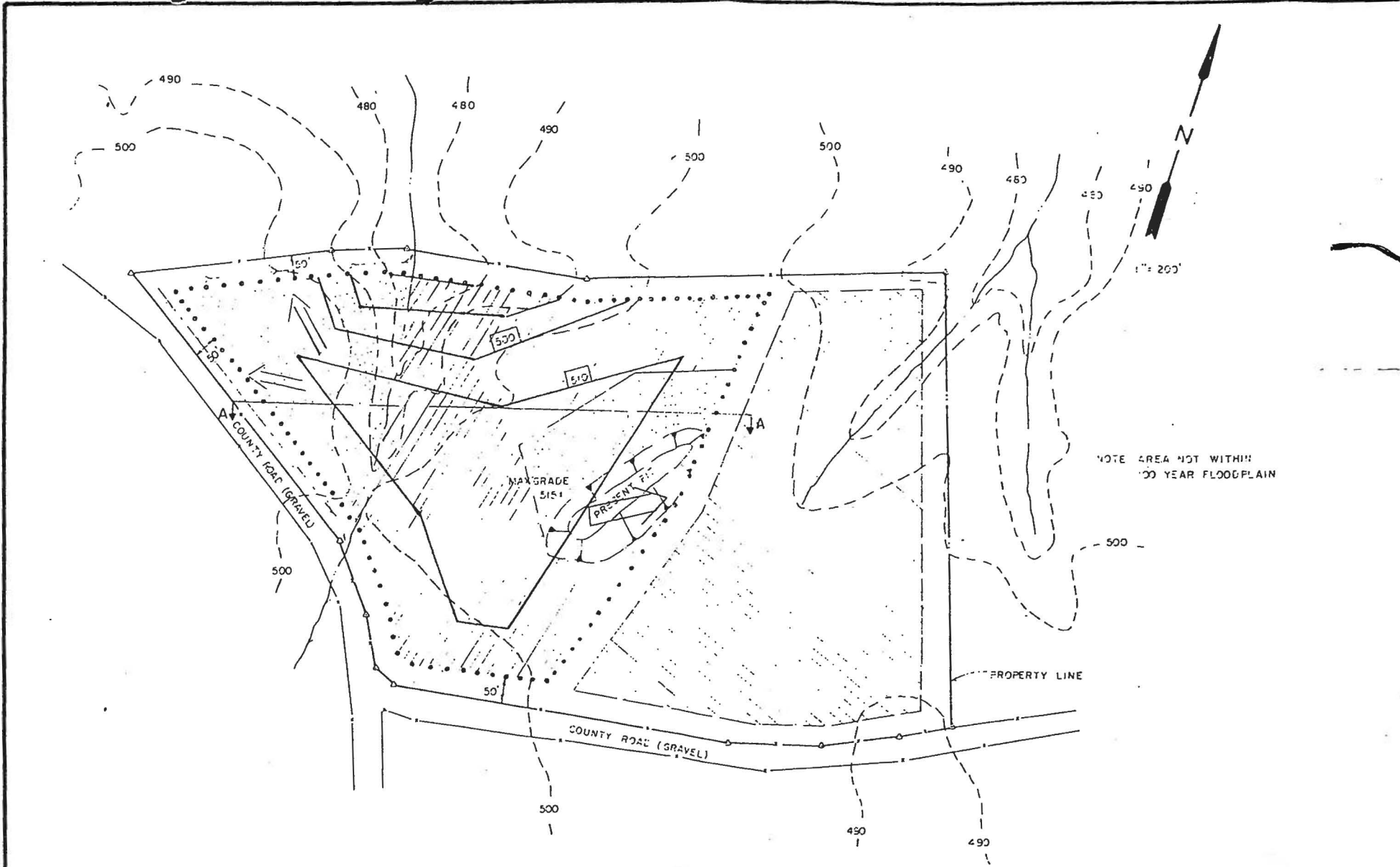
1" = 2 MILES



LEGEND:

- PERMIT AREA (FOR BOTH BELOW GROUND AND AERIAL FILL LANDFILL)
- [Dotted Box] AREA TO BE UTILIZED FOR BELOW GROUND LANDFILL
- [Diagonal Lines Box] AREA TO DATE THAT HAS BEEN UTILIZED FOR BELOW GROUND LANDFILL
- [Cross-hatched Box] AREA FOR BORROW (TOP SOIL AND SANDY CLAY 3 to 6 FEET IN THIS AREA FROM SURFACE)
- - - - - CONTOURS BEFORE LANDFILL
- [Solid Line Box] FINISH GRADE LINES





NOTE AREA NOT WITHIN
100 YEAR FLOODPLAIN

PROPERTY LINE

COUNTY ROAD (GRAVEL)

COUNTY ROAD (GRAVEL)

MAX GRADE
515'

PRESENT FILL

1" = 200'

N

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Milam
Permitted Site Number P1139

Location and Boundary

COG Confidence Level 50%
Latitude 31.7924 N
Longitude 97.2146 W
Narrative Location Description 4 miles east of Davilla near FM 1328, northeast of FM 4371
Boundary Description No Deed Located
Basic Land Units Tract 950300, Block 4015

Land Use

Vacant

Ownership Information

Texas Historical Marker in Davila Texas tells about Friendship Community. Follow this link:
http://www.9key.com/markers/marker_detail.asp?atlas_number=5331007951

Current Property Owner(s) Friendship Community
Current Owner(s) Address Unknown
Dates of Ownership Unknown
Land Unit Unknown

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation 1974 – Unknown
Enforcement History Unknown
Types of Waste Disposed Household, construction, brush

Reference Attachments

Texas Department of Health Inspection Report Aug. 1977
Texas Department of Health Telephone Conversation Memo Sept. 1977
Milam County Health Department Letter Regarding Permit Application Sept. 1977
Map
Texas Water Commission Landfill Inventory

Comments:

Same as U441

- .4 F. Is solid waste placed in unconfined water? No Explain _____ --
- .4 G. Is lining of excavations or disposal areas required? No
 If so, did site operator notify the Department of liner completion prior
 to acceptance of solid waste? --
 Is site considered adequate to receive solid waste? Yes
- .4 H. Is flood protection provided for site? No Is it required? No
 When flooded? (Refer to permit application, where appropriate) _____ --
- .4 I. Can surface drainage enter working face or actively used excavation? . . . No
- .4 J. Is water which has been in contact with solid waste being discharged
 from the site? _____ Is discharge authorized by TWQB? --

Operational Standards

- 1 K. Is adequate fire protection provided? Yes
 Method? Earthen Stackpiles
- 2 L. Is unloading of waste confined to as small an area as practical? No*
- 2 M. Is an attendant on duty when site is open? . Sat. 8:30 - 11:30 A Yes
 Are adequate signs posted for internal control when attendant is not on
 duty? Attendant always on duty when site open
- 3 N. Is blowing waste confined satisfactorily? Yes
 Controls _____ None
- O. Hazardous, Mixed and Special Wastes:
- 5a Are water or waste water treatment plant sludges or grease trap wastes
 accepted? No If yes, type _____ --
 Are disposal procedures adequate? NA
- 5b Are dead animals or slaughterhouse wastes accepted? No Disposal
 procedures adequate? NA
- 5c Are significant amounts of TWQB Class I industrial solid wastes accepted? No
 If so, has approval been obtained from the Department? --
 Is operation compliant with Department's approval requirements? --
 Are hazardous wastes (EPA List) accepted? No Specify kind _____ --
 If so, has approval been obtained from the Department? -- Are
 pesticide containers that have not been rendered unusable covered upon
 receipt? --
- 6 P. Adequate provisions for: bulky items? Yes
 brush and construction-demolition wastes? . . . Yes
- Q. Burning observed or in evidence? Yes Is burning authorized by TACB? . Unk
- R. Fly population: Heavy _____ Medium _____ Light X None _____
 Evidence of rodents? None Birds? _____ None
- 1 S. Is salvaging allowed? _____ Is it adequately controlled? --
- 1 T. Is scavenging occurring? (Explain in comments) No
- 3 U. Is cover adequate and applied at required frequency? No*
 Are closed sections of the landfill properly maintained? Initial Trench
- 4 V. Is ponded water a source of obnoxious odors? No

Permit Requirements

- W. If site is not permitted, was the site in operation prior to
~~October 16, 1974.~~ Yes * No _____
- X. Is site in compliance with permit special provisions? NA
 If no, explain in comments.

5/7 *Evidence of previous promiscuous dumping.

Improvements since previous inspection: NA

16. Summary of non-compliance: Unloading of refuse not confined to the smallest practical area. (F-2.2) Improper earth covering procedures. (F-2.13) Solid Waste disposal site being operated without submitting an application for a permit. (E-2)

17. Comments (use additional sheets if necessary): --

Operation Considered To Be: Satisfactory X Unsatisfactory

8. Recommendations (use additional sheets if necessary): Unloading of solid waste must be confined to as small an area as practical. A Type III operation with monthly compaction and covering of all deposited solid waste with at least six inches of compacted earth must be provided. A permit application form must be completed and submitted.

9. Action Requested of Central Office: Date, sign and transmit letter to Mr. Glash.

10. Unclassified sites: Where the site operator has not been officially notified of the required type of operation (by letter or by issuance of a permit) state type operation recommended and justification. Type III Reasons (screening, traffic, etc.)

We would recommend that this solid waste disposal facility be classified a "Type III" operation based on the low volume of municipal solid waste being received, the area topography, natural screening, very little potential fire hazard, and low traffic volume on nearby road.

Have these conditions changed since previous inspection? NA

(Please attach copies of letter originated by Regional Office)

Inspected By Earl A. Ballman, P.E. Date August 17, 1977

Approved By [Signature] Date 8-26-77



Texas Department of Health Resources

SOLID WASTE MANAGEMENT DIVISION

TELEPHONE/VISIT MEMO TO THE FILE

Date: Sept 8, 1977

File Subject (name): SW- Milan Co. Friendship Comm. (near Davilla) - Unauth Disp sit.

Name of Caller: Mr. Earl A. Ballman (Ref: 90183)

Title of Caller: Engr Phone No.: 820-1431

Organization of Caller: T.D.H. - PHR/6

Solid Waste Representative: L.F. Laird

Subject of Call: Location & condition of subject site.

Print - Typing not necessary

Comments:

Reference Memo of 8-26-77, SCC to TDT, concerning an unauthorized SW site (as reported by the TACB) in the vicinity of Davilla but is different from the previously inspected GT site at Davilla.

Mr. Ballman advised that the old site at Davilla is not the site indicated in this recent complaint of burning. The old site at Davilla was last inspected in Jan 77, and a letter sent to Co. Judge 2-8-77 listing the conditions of non-compliance and the corrective action required. The Co. Commission has decided to close the site (an old mined out gravel pit just west of Davilla) which has been fenced, signs erected and all dumping has ceased and there is no burning. There is no concern material remaining on this site and material is being hauled in. Last observation indicated cover was about 75% complete, all exposed material is burned out ash and apparently was no health problem.

The site concerned in the recent complaint is located approx 4 miles from Davilla toward Cameron, near FM 1328, NE of the intersection of FM 437 & FM 1328, and behind the schoolhouse at Friendship. Reportedly, records in the Courthouse indicate this property belongs to the "Friendship Rural Community" headed by Mr Eugene Glash, President. Inspection has been made, Ref: Insp Report (of 8-17-77) dated 8-26-77. (Letter 8-26-77).

(Continue on back-start on opposite bottom)

SIGNED

L.F. Laird

September 22, 1977

Mr. Eugene Glash, President
Friendship Rural Community
P.O. Box 64
Davilla, Texas 75623

Subject: Solid Waste - Milam County
Friendship Rural Community - Unauthorized Solid Waste Disposal Site;
4.8 Miles East of Davilla on FM 1328

Dear Mr. Glash:

is to remind you that our August 30, 1977 letter requires
c-ated permit application to be submitted to this Depart-
on or about October 5, 1977. If the permit application
already been submitted, please disregard this reminder.

we can be of any assistance regarding solid waste management,
use contact us here in Austin, or Mr. Thomas D. Tiner, P. E.,
onal Director of Environmental and Consumer Health Protection,
. Box 190, Temple, Texas 76501; telephone number (817) 778-6744.

Sincerely yours,

LBR
L. Carmichael, P.E.
or
on of Solid Waste Management

gion 6, TDH
lam County Health Department

~~0-139~~
-41

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Friendship 2) Community

County Milam District 03 River Basin 1

Location 4 mi. E of Devilla near FM 1328
NE of FM 4371 / FM 1328 Inty

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5' Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner Friendship Community Code C #
Address _____
Telephone _____

Dates of Operation ≤ 1974 to 2/1 Size 2/1 acres/cu. yds
(circle one)

Parties That Utilized Site 1

Type of Waste: Household Y/N Construction/Demolition Y/N Industrial Y/N

Tires Y/N Agricultural Y/N Brush Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable Y/N
Certain Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2

Site Name: _____

Date: _____

Legal Status During Operation

Legal
Unauthorized

Y/N
Y/N

Maximum Depth _____

Feet

Code

IV

Constructed Liner

Y/N

If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover

Y/N

Minimum Thickness _____

Code

V

Current Use

VI

Buried Utilities

Y/N

Structures

Y/N

Adjacent Structures
(within 3000 ft)

Y/N

Petroleum/Product Pipelines

Y/N

Wells (oil or water)

Y/N

Status

Dates of Observation

Seeps

Y/N

Gas

Y/N

Vegetative Distress

Y/N

Cover Erosion

Y/N

Ponded Water

Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name:

Friendship, Milam

Date:

OTHER INFORMATION

Aquifer Recharge Zone

Y/N

Aquifer

Inspection Record

8/4/77 - 6 miles to nearest

water course; trench operation;
burning observed.

Comments

Identified in 9/8/77 TDH memo;
map in file

TEXAS WATER COMMISSION
Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

II a) from inspection
b) from map
c) reported

III a) certain
b) reported
c) speculated

IV a) certain
b) reported
c) speculated

V a) certain
b) reported
c) speculated

VI a) residential
b) commercial
c) industrial
d) park/recreation
e) school/hospital
f) agricultural
g) road
h) municipal
i) no activity

8344

THE STATE OF TEXAS :
COUNTY OF MILAM :

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, H. G. Chamberlain and wife, Stella Chamberlain, did, on or about the 11th day of September, 1962, execute and deliver to O. G. Chamberlain, as grantee, for the consideration therein mentioned, a conveyance of the certain lands, situated in Milam County, Texas, and hereinafter more particularly described, which said conveyance is recorded in Volume 322, page 495 of the deed records of Milam County, Texas, and, whereas, in said conveyance, by mistake and inadvertence the property was shown to be out of and a part of the W. W. Lewis Survey instead of the Sarah Wilhelm Survey, and certain typographical errors were made and,

WHEREAS, to prevent difficulties hereafter, it is expedient to correct said error:

NOW, THEREFORE, Stella Chamberlain, Individually and as sole devisee under the will of H. G. Chamberlain, deceased, grantor, in consideration of the premises and of one dollar to her paid by the said O. G. Chamberlain, Grantee, which is hereby acknowledged, hereby grants, sells, conveys and confirms unto the said O. G. Chamberlain, grantee, his heirs and assigns, forever, all of the following tracts of land situated in the County of Milam, State of Texas, to-wit:

All those certain tracts or parcels of land situated in Milam County, Texas, and described as follows:

FIRST TRACT: All that certain tract or parcel of land in Milam County, Texas, and described as follows:

Beginning at a point S 19 E 874 varas and North 71 West 156 feet from the Northeast corner of a tract of 135.40 acres described in deed from Anton Absnaider to H. G. Chamberlain dated August 23, 1944 and recorded in Volume 244 page 571 of the deed records of Milam County, Texas, for the S E corner of this tract; Thence N 19 West 210 feet for the N E corner of this; Thence N 71 W 210 feet for the N W corner of this tract; Thence S 19 E 210 feet to the S W corner of this; Thence S 71 E 210 feet to the place of beginning, containing 1 acre of land.

SECOND TRACT: Easement and right-of-way, described as follows:

Beginning at a point S 19 E 743 varas and North 71 West 156 feet from the Northeast corner of a tract of 135.40 acres described in a deed from Anton Absnaider to H. G. Chamberlain dated August 23, 1944 and recorded in Volume 244, page 571 of the deed records of Milam County, Texas; Thence S 71 East 156 feet to a point in the East line of the above mentioned 135.40 acre tract; Thence S 19 East 286 feet to the N E corner of a 4.35 acre tract conveyed to Vito Riola; Thence N 87-1/2 W 88 varas to the N W corner of the said 4.35 acre tract; Thence S 20 W 266 vrs to a point in Farm to Market Road.

The above two tracts being out of and a part of the Sarah Wilhelm Survey in Milam County, Texas.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

To have and to hold the same unto the said O. G. Chamberlain, grantee, and to his heirs and assigns forever.

This is a correction deed, given and accepted as such in substitution for such earlier deed of H. G. Chamberlain and wife, Stella Chamberlain, dated September 11, 1962, and it shall be effectual as of and retroactive to such date.

In witness whereof, the said O. G. Chamberlain and Stella Chamberlain, Individually and as sole devisee under the will of H. G. Chamberlain, Deceased, have hereunto set their hands the day and year first above written.

O. G. Chamberlain
O. G. Chamberlain

Stella Chamberlain
Stella Chamberlain, Individually and as sole devisee under the will of H. G. Chamberlain.

THE STATE OF TEXAS :

COUNTY OF MILAM :

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared O. G. Chamberlain, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 15th day of January, A. D. 1973.

Dillon M. McCay
Notary Public in and for Milam County, Texas.

THE STATE OF TEXAS :

COUNTY OF MILAM :

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Stella Chamberlain, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me

that she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 15th day of January, A. D.

1973.

Dwain M. McCay
Notary Public in and for said County and State.

ILAM COUNTY, CAMERON, TEXAS

FILED FOR RECORD 3:50.0'CLOCK P.M., ..15...DAY OF ...*January*.....

9.73..RECORDED 2:05.0'CLOCK P.M., ..16...DAY OF ...*January*.....

9.73..

WAYNE B. WIESER, COUNTY CLERK

BY: *Helen Kroger*..., DEPUTY

587

8345

THE STATE OF TEXAS :
 COUNTY OF MILAM :
 KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on the 26th day of October, 1962, Ollie G. Chamberlain and wife, Mary Irene Chamberlain, did execute one certain note in the principal sum of \$10,000.00, bearing interest and payable as shown in said note, payable to the order of the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, and which said note is set out and described in a certain deed of trust executed by Ollie G. Chamberlain and wife, Mary Irene Chamberlain, to L. J. Capelman, Trustee, and recorded in Volume 119, page 47 of the deed of trust records of Milam County, Texas, and secured by the deed of trust lien therein expressed, on the following described lot or parcel of land situated in the County of Milam, State of Texas, to-wit:

All those certain tracts or parcels of land situated in Milam County, Texas, and described as follows:

FIRST TRACT: All that certain tract or parcel of land in Milam County, Texas, and described as follows:

Beginning at a point S 19 E 874 varas and North 71 West 156 feet from the Northeast corner of a tract of 135.40 acres described in deed from Anton Absnaider to H. G. Chamberlain dated August 23, 1944 and recorded in Volume 244 page 571 of the deed records of Milam County, Texas, for the S.E corner of this tract; Thence N 19 West 210 feet for the N E corner of this; Thence N 71 W 210 for the N W corner of this tract; Thence S 19 E 210 feet to the S W corner of this; Thence S 71 E 210 feet to the place of beginning, containing 1 acre of land.

SECOND TRACT: Easement and right-of-way, described as follows:

Beginning at a point S 19 E 874 varas and North 71 West 156 feet from the Northeast corner of a tract of 135.40 acres described in a deed from Anton Absnaider to H. G. Chamberlain dated August 23, 1944 and recorded in Volume 244, page 571 of the deed records of Milam County, Texas; Thence S 71 East 156 feet to a point in the East line of the above mentioned 135.40 acre tract; Thence S 19 East 286 feet to the N E corner of a 4.35 acre tract conveyed to Vito Riola; Thence N 87-1/2 W 88 varas to the N W corner of the said 4.35 acre tract; Thence S 20 W 266 vrs to a point in Farm to Market Road

The above two tracts being out of and a part of the Sarah Wilhelm survey in Milam County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, the payee and owner and holder of said note, for and in consi-

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Milam
Permitted Site Number P1700

Location and Boundary

COG Confidence Level 25%
Latitude 30.7674 N
Longitude 96.9827 W
Narrative Location Description 5 miles south of Cameron, east of US
27
Boundary Description See Deed and Permit Application
Basic Land Units Tract 950300, Block 5003

Land Use

Single Family Residential / Vacant

Ownership Information

Current Property Owner(s) Jack Yount
Current Owner(s) Address P.O. Box 37B; Cameron, TX 76520
Dates of Ownership Unknown
Land Unit 2.09 acres

Site History and Current Status

Previous Owner(s) Unknown
Dates of Operation 9/30/85 – 3/10/89
Enforcement History 7/12/95 – Final Cover Inspection
Types of Waste Disposed Unknown

Reference Attachments

Deed Sept. 1966
Lease Agreement Aug. 1980
Permit Application Sept. 1985
TNRCC Letter Regarding Post-Closure Care and Permit
Expiration March 2000
TNRCC Letter Regarding Completion of Post-Closure Care and
Permit Expiration June 2000

0 3 1

DEED

VOL 341 PAGE 568

MILAM COUNTY, TEXAS
RECORDED FOR RECORD 10/15/66
10/15/66 RECORDED 10/15/66
10/15/66

WAYNE B. [Signature]
[Signature]

1095 - WARRANTY DEED - WITHOUT VENDOR'S LITE - CLASS 3

The State Co., Austin



THE STATE OF TEXAS,

County of Milam

KNOW ALL MEN BY THESE PRESENTS: 9163

That We, Rex Bartlett and wife, Zoe Bartlett

of the County of Milam State of Texas, for and in
consideration of the sum of TEN AND NO/100 (and other consideration)

to US in hand paid by Jackie W. Yount and wife, Betty J. Yount

receipt of which is hereby acknowledged, and for which no lien, either express or implied, is retained or shall exist, have Granted,

County of Milam)

That We, Rex Bartlett and wife, Zoe Bartlett

of the County of Milam State of Texas for and in

consideration of the sum of TEN AND NO/100 (and other consideration)-----

_____ Dollars

to US in hand paid by Jackie W. Yount and wife, Betty J. Yount

receipt of which is hereby acknowledged, and for which no lien, either express or implied, is retained or shall exist, have Granted.

Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said Jackie W. Yount and wife, Betty J. Yount.

of the County of Milam State of Texas those
tracts or parcels of land situated in Milam County, Texas, and described as
follows, to-wit:

FIRST TRACT: All that certain lot and parcel of land lying and being situated in Minerva, Texas, in Milam County, out of the Jose Leal Grant and is same conveyed to Lerle Brown by deed from Lottie Selman dated Jan. 9, 1954, and recorded in Vol. 284, Page 319, of the deed records of Milam County, Texas, and described by metes and bounds as follows:

BEGINNING at the most westerly or northwesterly cor. of a two acre tract heretofore conveyed to Eddie Edwards by the First Baptist Church of Minerva, Texas, through its Trustee, for the southwest cor. of this; THENCE along the W. side of the lands bought by said Church from Charles Terry in course approximately N 19° 139 vrs more or less, to the southwest cor. of the lands heretofore conveyed by said Church to D. C. Richards for the N.W. cor. of this; THENCE in an easterly direction parallel with the N. line of said Eddie Edwards two acre tract and along S. line of said Richards tract 85 vrs. more or less to the W. edge of road heretofore reserved by said Church in conveyance to third person, set stake for N.E. cor. hereof; same being S.E. cor. of said

THENCE in a southerly direction parallel with W. line of said

and recorded in Vol. 284, Page 319, of the deed records and described by metes and bounds as follows: BEGINNING at the most westerly or northwesterly cor. of a two acre tract heretofore conveyed to Eddie Edwards by the First Baptist Church of Minerva, Texas, through its Trustee, for the southwest cor. of this; THENCE along the W. side of the lands bought by said Church from Charles Terry in course approximately N 19 W 139 vrs more or less, to the southwest cor. of the lands heretofore conveyed by said Church to D. C. Richards for the N.W. cor. of this; THENCE in an easterly direction parallel with the N. line of said Eddie Edwards two acre tract and along S. line of said Richards tract 85 vrs. more or less to the W. edge of road heretofore reserved by said Church in conveyance to third person, set aside for N. E. cor. hereof; same being S. E. cor. of said Richards tract; THENCE in a southerly direction parallel with W. line of said Church lands and parallel with W. line of the land hereby conveyed, 139 vrs. more or less, to the N. E. cor. of said Eddie Edwards two acre tract for S. E. cor. of this and running THENCE in a westerly direction along the N. line of said Edwards two/tract 85 vrs. more or less, to the place of beginning.

Being the same land conveyed to J. F. Eisenburg by Merle Brown by deed bearing date of Feb. 8, 1954, recorded in Vol. 284, Page 449, of the Williamson County Deed Records.

SECOND TRACT: All that certain tract and parcel of land in the Jose Leal Grant in Williamson County, Texas, particularly described as follows: BEGINNING at the S. E. cor. of Lot no. Five (5) for S. V. cor. of this tract; THENCE with the E. line of said Lot 5, N. 19 W. 92 vrs. to B. N. cor. of Lot No. six (6) for the N. W. cor. of this tract; THENCE N. 71 E. 238 vrs. with the S. line of Lot No. 6 to the S. E. cor. of said Lot No. 6, for the N. E. cor. of this tract in the W. line of Mrs. Lizzie Edwards's tract of land; THENCE with fence, along the W. line of said Edwards's tract as now fenced, on a course approximately S. 44 E 95 1/2 vrs. to stake for S. E. cor. THENCE S. 71 W. 215 vrs. to the beginning, and being Lot No. Seven (7) of the Terry Lands, BAYLOR

LEASE AGREEMENT

9871

THE STATE OF TEXAS X
COUNTY OF MILAM X

KNOW ALL MEN BY THESE PRESENTS;

This is a memorandum of a lease contract and agreement made and entered into on this the 1st day of August, A. D. 1980, by and between Jack Yount, of Minerva, Milam County, Texas, hereinafter called Lessor, and A. W. McCullin, Sr., of Cameron, Milam County, Texas hereinafter called Lessee, Witnesseth:

In consideration of the covenants and agreements hereinafter contained, which on the part of Lessee are to be paid, kept and performed, Lessor does hereby lease, let and demise unto the said Lessee the following described real property situated in Milam County, Texas, to-wit: a farm of 2.0928 ^{1/4 ACRES MORE OR LESS. A.W.M.C.} acres in the Jose Leal Grant, situated in Minerva, Texas as recorded in Vol. 284, page 319, Milam County Deed Records and being the S. W. corner of Lessor's 7.1 acres in Minerva,

This lease shall run from August 1, 1980, to July 31, 1985,

In consideration of such leasing and letting the said A.W. McCullin, as Lessee, hereby agrees to pay Lessor at Cameron, Texas, the annual sum of \$500.00 payable as follows: the sum of \$500.00 paid on or before August 1, 1980, and the 1st day of August each year there after, during said lease period.

The parties hereto agree and covenant as follows;

- a. The leased premises are to be used by the Lessee to build a gas compressor station and to install oil storage tanks.
- b. It is provided that the Lessee shall have the right to renew and extend the term of this lease for the periods of August 1, 1985, to July 31, 1990, for the sum of \$500.00 a year rental beginning August 1, 1985, and the period of August 1, 1990 to July 31, 1995, for the sum of \$500.00 a year beginning August 1, 1990.
- c. Lessee shall have the right to remove all tanks, pipelines and equipment at any time during the term of this lease or within 6 months after said lease expires.

d. Lessee shall clean a 90 foot water well and install a pump and clear the lot and build a farm tank in the North West corner of said property in the existing revine. The cost of these improvements will be applied to the rentals.

Executed in duplicate originals on this the 1st day of August, A. D. 1980.

Jack Yount

JACK YOUNT, LESSOR

A. W. McCullin, Sr.

A. W. McCULLIN, SR., LESSEE

THE STATE OF TEXAS X
COUNTY OF MILAM X

Before me, the undersigned authority, on this day personally appeared Jack Yount known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 9th day of August, 1980.

Albert McCullin, Jr.

Notary Public, Milam County, Texas

Comm. Exp. _____

THE STATE OF TEXAS X
COUNTY OF MILAM X

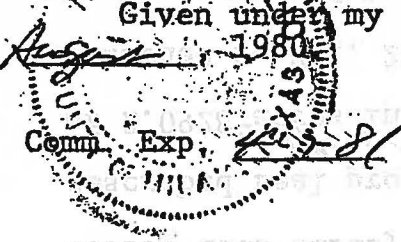
Before me, the undersigned authority, on this day personally appeared A. W. McCullin known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 14th day of August, 1980.

Jane Matyszik

Notary Public, Milam County, Texas
JANE MATYSZIK

Comm. Exp. 12-31-81



MILAM COUNTY, CAMERON, TEXAS

FILED FOR RECORD 11:40'CLOCK A M., 20 DAY OF August
1980. RECORDED 1:44'CLOCK P M., 20 DAY OF August
1980.
WAYNE B. WIESER, COUNTY CLERK
BY: *LaVerne Duffe*, DEPUTY

J., F.A.C.P.

1100 West 49th Street
Austin, Texas 78756-3199
(512) 458-7111

P1700

M.D.

Ron J. Anderson, M.D., Chairman
Laurance N. Nickey, M.D., F.A.A.P., Vice-Chair
Bob D. Glaze, D.C., Secretary
Johnnie M. Benson, F.A.C.N.H.A.
Sister Bernard Marie Borgmeyer, R.N., F.A.C.H.
Frank Bryant, Jr., M.D., F.A.A.F.P.
Joaquin G. Cigarroa, Jr., M.D.
Barry D. Cunningham, D.D.S.
Ben M. Durr, M.H.A.
Dennis K. McIntosh, D.V.M.
Robert D. Moreton, M.D., F.A.C.R.
Joe N. Pyle, P.E.
Arthur L. Raines, M.D.
Isadore Roosth
Barbara T. Slover, R.Ph.
Max M. Stettner, D.O.
Edward H. Zunker, O.D.

Administration
1700

Site: N 30° 46.05' W 96° 58.95'

PERMIT FOR A MUNICIPAL SOLID WASTE FACILITY
authorized under provisions of Article 4477-7, Vernon's
Civil Statutes, and the Texas Department of Health's
Municipal Solid Waste Management Regulations"

Site Owner
Mr. Jack Yount
Route 3, Box 37B
Cameron, Texas 76520

City
Garthouse
Texas 76100

Description of Site: The legal description as submitted with the
application is hereby made a part of this permit.

Location of Site: The site consists of 2.0928 acres of land and is located
approximately 5.0 miles south of Cameron, northeast of the community of Minerva, and
east of U.S. Highway 77 in Milam County.

General Classification of Site: Type III

Disposal Methods Used at Site: Trench method of disposal with compaction of
waste and cover with a minimum of six (6) inches of compacted earth not less
than once each month.

Disposition of Waste Materials Processed at Site: Solid wastes under the
jurisdiction of the Texas Department of Health, when disposed of or
handled in accordance with the Department's "Municipal Solid Waste Management
Regulations."


Facts of Fact and Conclusions of Law: Attached hereto and made a part hereof.

Legal Provision: Acceptance of this permit constitutes an acknowledgement that the
applicant will comply with all of the terms, provisions, conditions, limitations and
restrictions embodied in this permit; with the "Municipal Solid Waste Management
Regulations" of the Texas Department of Health; and with the pertinent laws of the State
of Texas.

Special Provisions: See Attachment - "Special Provisions for Municipal Solid Waste
Permit No. 1700."

This permit will be valid until cancelled or revoked by the Commissioner of Health of the
Texas Department of Health or until the site is completely filled and rendered unusable
unless otherwise occurs first.

Given under my hand and Seal of Office at Austin, Texas, on the 30th day of
September 1985.


Robert Bernstein, M.D., F.A.C.P.
Commissioner of Health

SPECIAL PROVISIONS FOR MUNICIPAL SOLID WASTE PERMIT NO. 1700

The permittee shall screen the site from U.S. Highway 77 in such a way that no landfill operations are visible from the highway.

On the basis of a favorable water-balance calculation and in accordance with Section 325.231 of the Department's "Municipal Solid Waste Management Regulations," which became effective July 12, 1983, the requirements of Section 325.121 of the said regulations pertaining to lining of permeable zones in disposal trenches are waived.

The permittee shall apply a final cover of five (5) feet of compacted soil on each completed waste disposal trench at the site.

LEGAL DESCRIPTION OF TRACT
OF LAND FOR USE BY
MILAM COUNTY
AS A SOLID WASTE DISPOSAL SITE

AS }
}

LAM }
}

certain lot and parcel of land lying and being situated in Texas, in Milam County, out of the Jose Leal Grant and is same Merle Brown by deed from Lottie Selman dated Jan. 9, 1954, and in Vol. 284, Page 319, of the deed records of Milam County, described by metes and bounds as follows:

at the most westerly or northwesterly cor. of a two acre tract conveyed to Eddie Edwards by the First Baptist Church of Texas, through its Trustee, for the southwest cor. of this; along the W. side of the lands bought by said Church from Charles Richards course approximately N 19° W 139 vrs more or less, to the S.E. cor. of the lands heretofore conveyed by said Church to D. C. Richards or the N.W. cor. of this; THENCE in an easterly direction along with the N. line of said Eddie Edwards two acre tract and along said Richards tract N 71° E 85 vrs. more or less to the W. side and heretofore reserved by said Church in conveyance to third party stake for N.E. cor. hereof; same being S.E. cor of said Richards tract; THENCE in a southerly direction parallel with W. line of said Richards lands and parallel with W. line of the land hereby conveyed, 9 vrs. more or less, to the N.E. cor. of said Eddie Edwards tract for S.E. cor. of this and running THENCE in a westerly direction along the N. line of said Edwards two acre tract S 71° W 85 vrs. more or less, to the place of beginning, containing 2.0928 acres

in County Health Authority

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

March 31, 2000

MILAM COUNTY COURTHOUSE
P.O. BOX 1026
CAMERON, TEXAS 76520

Subject: Completion of Post-Closure Care Period and Permit Expiration, Permit No. 01700

Dear Landfill Permittee:

A recent research of the Texas Natural Resource Conservation Commission (TNRCC), Municipal Solid Waste central records reveal the subject municipal solid waste (MSW) facility has completed the post-closure care maintenance requirements established by rules in effect during the operational life of this site. Therefore, this site is eligible to exit the post-closure care maintenance period.

As this site has satisfied all post-closure care maintenance requirements, the permit for this facility has now expired by its own terms. No additional waste disposal activities may be conducted at this site unless they are authorized by a new MSW permit.

Your cooperation in maintaining this closed site is greatly appreciated. Any future maintenance problems that arise are the Permittee's responsibility to correct as soon as practical.

If you have any questions concerning this matter, please contact the Municipal Solid Waste Permits Section at 512/239-6724.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dorca Zaragoza-Stone".

Dorca Zaragoza-Stone, Manager
MSW Permits Section
Waste Permits Division

DZS/lcs

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

June 2, 2000

Milam County
County Courthouse
Cameron, Texas 76520

Subject: Completion of Post-Closure Care Period and Permit Expiration, Permit No. 1700

Dear Landfill Permittee:

A recent research of the Texas Natural Resource Conservation Commission (TNRCC), Municipal Solid Waste central records reveal the subject municipal solid waste (MSW) facility has completed the post-closure care maintenance requirements established by rules in effect during the operational life of this site. Therefore, this site is eligible to exit the post-closure care maintenance period.

As this site has satisfied all post-closure care maintenance requirements, the permit for this facility has now expired by its own terms. No additional waste disposal activities may be conducted at this site unless they are authorized by a new MSW permit.

Your cooperation in maintaining this closed site is greatly appreciated. Any future maintenance problems that arise are the Permittee's responsibility to correct as soon as practical.

If you have any questions concerning this matter, please contact the Municipal Solid Waste Permits Section at 512/239-6724.

Sincerely,

A handwritten signature in black ink that reads "Dorca Zaragoza-Stone".

Dorca Zaragoza-Stone, Manager
MSW Permits Section
Waste Permits Division

DZS/lcs

Closed Landfill Inventory
Central Texas Council of Governments

Site Identification

County Milam
Permitted Site Number P2005

Location and Boundary

COG Confidence Level 75%
Latitude 30.8846 N
Longitude 97.1606 W
Narrative Location Description 2 miles north of Buckholts City Limits
Boundary Description See Deed
Basic Land Units Tract 950100, Block 3046

Land Use

Vacant or Agriculture

Ownership Information

Current Property Owner(s) Milam County, PCT #1
Current Owner(s) Address P.O. Box 1008; Cameron, TX 76520
Dates of Ownership Unknown
Land Unit 1.3 acres

Site History and Current Status

Previous Owner(s) Frank Ermis
Dates of Operation 1/1/69 – 12/19/90
Enforcement History Unknown
Types of Waste Disposed Garbage – Solid waste

Reference Attachments

Deed April 1986
Texas Department of Health Letter Regarding Inspection Sept. 1986

EXHIBIT "B"

Grantee agrees to build a fence around the above described property and to maintain said fence in good condition for as long as the property is used for a landfill. This fence shall be constructed so that debris from the landfill is reasonably contained and thereby not allowed to be excessively wind blown onto private property.

Grantee also agrees to reasonably divert the water from the landfill site so that the water does not flood private property. Grantee will lay a culvert and maintain the culvert to prevent any flooding.

The landfill site will be kept in an orderly fashion; keeping all garbage inside the pit and keeping it covered on a regular basis.

This agreement is binding on the Grantee in office and all successors in office.

FILED FOR RECORD

4:15 o'clock P. M.

27th day of June 1986

WILLIE MAE WIESER
County Clerk, Milam County, Texas

By Helms Hroyek
Deputy

STATE OF TEXAS
COUNTY OF MILAM

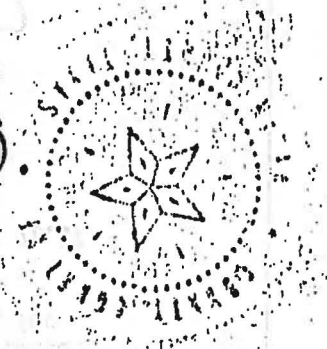
WILLIE MAE WIESER, Clerk of the County Court of Milam County, Texas, do hereby certify that the foregoing

instrument was duly recorded this 30 day of June, A. D. 1986, at 2 o'clock P. M. in Volume 560, Page 390.

Witness my hand and the seal of the County Court at Office in Houston on the day of the year above written.

Barbara Kansa
Deputy,

WILLIE MAE WIESER
Clerk County Court, Milam County, Texas



April 14, 1986

MILAM COUNTY - 1.314 ACRES

All that certain 1.314 acres of land out of a called 86-3/4 acre tract described in a deed dated January 12, 1925 from Frank Ermis, et ux to Joe J. Marek, recorded in Volume 174, Page 503, Deed Records, located in the J. A. dePena Survey, Abstract No. 43, Milam County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod, located at a fence corner, set for the southeast corner of a called 1-1/10 acre tract described in a deed dated June 5, 1968 from Joe J. Marek, et ux to Milam County, recorded in Volume 356, Page 16, Deed Records and being the southwest corner of the herein described tract;

THENCE N 18 deg. 42 min. 27 sec. E, along a fence line and its projection, a distance of 418.03 feet to a 5/8 inch iron rod set for the northwest corner of the herein described tract;

THENCE S 75 deg. 39 min. 26 sec. E, a distance of 164.16 feet to a 5/8 inch iron rod, located in an old down fence line, set for the northeast corner of the herein described tract;

THENCE S 29 deg. 11 min. 19 sec. W, along said down fence line, a distance of 501.98 feet to a 5/8 inch iron rod, located at a fence corner, set for the southeast corner of the herein described tract;

THENCE N 71 deg. 13 min. 39 sec. W, along a fence line, a distance of 72.37 feet to the PLACE OF BEGINNING and containing 1.314 acres of land.



Harold B. Fisher, Jr.
Harold B. Fisher, Jr.
Registered Public Surveyor No. 2500

Job No. 84-3

EXHIBIT "A"

VOL. 560 PAGE 392

2005



Texas Department of Health

Robert Bernstein, M.D., F.A.C.P.
Commissioner
Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Hermas L. Miller
Deputy Commissioner
Management and Administration

Public Health Region 6
P.O. Box 190
Temple, Texas 76503
(817) 775-6744
September 23, 1986

Chas. R. Webb, Jr., M.D., M.P.H.
Regional Director

Honorable Gene Blake
Milam County Judge
Milam County Courthouse
Cameron, Texas 76520

ATTACHMENT

Subject: Solid Waste - Milam County
Unauthorized Solid Waste Disposal site
Located adjacent to and E. of CR 110, 0.4 mile
South of SH 36, approximately 2.0 miles W. of
the City of Buckholts.

Dear Judge Blake:

On September 3, 1986, our representative, Edward Myers, R.S., inspected an unauthorized solid waste disposal site located on property owned by Milam County. The inspection report reveals that the site has not been legally permitted by the Texas Department of Health and is, therefore, being operated in violation of the Municipal Solid Waste Management Regulations (MSWMR) promulgated under section 4(c) of the "Solid Waste Disposal Act," Article 4477-7, Vernon's Texas Civil Statutes.

The inspection report includes a copy of the 1968 Milam County map showing the location of the landfill. It is possible that this site may meet the criteria of 325.51 of the MSWMR relating to grandfather status.

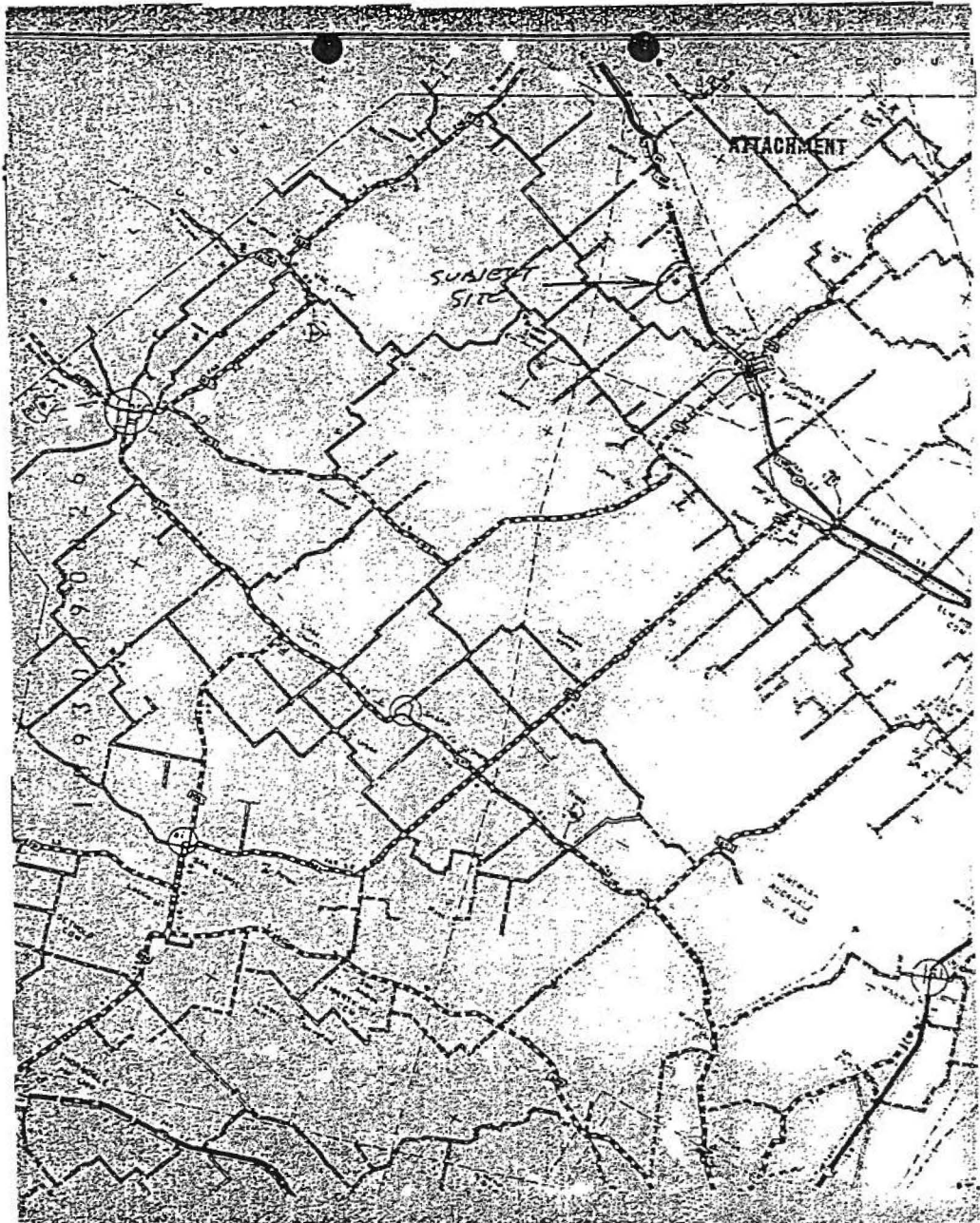
Part A of the permit application (enclosed) must be submitted in order to determine the status of the site. Please submit this document by October 30, 1986.

If the site qualifies for grandfather status, you will be granted interim authorization to operate the site during the time you pursue the permit. If the site does not qualify for grandfather status, the site must be closed and a permit to operate the site must be obtained from the Department.

Date: / / 1997
 Name of County: Milam Name of City: _____
 Permit # 2005 Are there curves? yes no
 Starting Coordinates (x,y): N 18° 42' 27" E 418.03
 Gap Calculated in MapDraw: 63.00
 Acreage Calculated in File/MapDraw: 1.314 / 1.31
 Have these files been saved on a network directory? yes no
 Name of MapDraw Map File / Text File (.map/.txt)? LF2005 # OF FILES 1

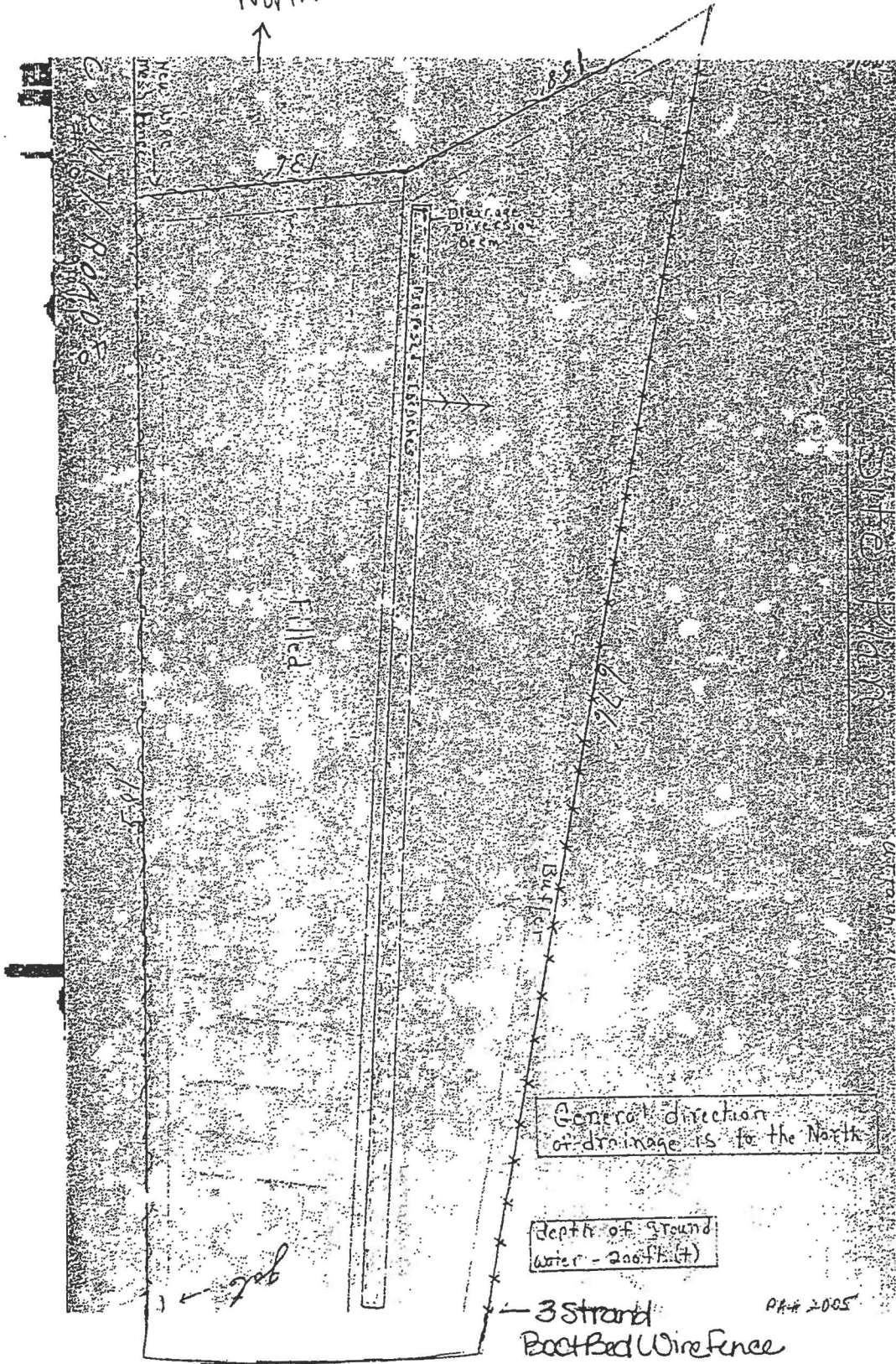
missing a call? or part of the distorms?

#20075



2005

North
↑



General direction of drainage is to the North

Depth of Ground Water - 200 ft (t)

3 Strand Post and Rail Wire Fence

PA# 2005

(L9)1

1

Sites

None in
Bell

Removed

From

Inventory

**Closed Municipal Solid Waste Inventory
Database Revision Form**

COG Name: Central Texas Council of Governments

Date: July 9, 2002

Site Number*	Type of Revision (Check One)		County	Data	Reason for Revision
	Data Change	New Data			
U441	X		Milam County	U441 is being removed from Inventory	Site U441 is the same as site P1139. P1139 can be found under Milam County in the Inventory

* For previously unidentified sites, please assign temporary site numbers in the form of: COG code/T (for temporary)/three-digit unit number (beginning with 001). For example, 18T001, 18T002, 18T003, etc. In administering the statewide database, TNRCC will subsequently assign permanent tracking numbers.

982

INSPECTION REPORT

MUNICIPAL SOLID WASTE DISPOSAL SITE

TEXAS DEPARTMENT OF HEALTH RESOURCES



Permit (or Application) No. --- Classification Type III Region 6
 Site Operator (per A-4.38, Regs.) Friedship Rural Community
 Site Owner Friendship Community
 Site Location: County Milam City Davilla
 Directions to Site 4.0 miles east of Davilla on FM 1328
 Coordinates: N --- W --- Name of Site Friendship Landfill
 Area Served Friendship area Population 200
 Official(s) Responsible for Site Operation Eugene Glash, President, Friendship Rural Community, P. O. Box 64, Davilla, Texas 75623
 Officials Contacted During Inspection Eugene Glash (817) 527-3552, Rod Holcombe, R.S., Milam Co. Health Dept.
 Persons Participating in Inspection Rod Holcombe, R.S., Milam Co. Health Dept., Earl A. Ballman, P.E., TDHR
 Purpose of Inspection: Routine Site Evaluation Compliance Schedule
 Complaint By: --- Other ---
 Date of Last Inspection Initial Date of Last Correspondence ---
 Land Use Within One Mile Agricultural
 Description of Site and Operation: Trench Area Other
 Maximum Depth of Excavation 6 ft. Soil Characteristics Sand-Clay
 Area of Site (Acres) Unk Remaining (Acres) --- (Years) ---
 Distance and Direction to: Public Road + 300 ft. Water Well Community water system
 Stream 0.6 mi. Airport 16 mi. Residence + 1.0 mi. Business 3.8 mi.
 Refuse Collection By: City --- County --- Contractor --- Individuals
 Date of Inspection August 17, 1977 TDHR Representative (by) Earl A. Ballman, P.E.

Findings

Access

- 2.10 A. Is adequate all-weather access to an unloading area provided? Yes
- 2.2 B. Are waste materials scattered along the route to the disposal site creating a problem? No
- 2.1 C. Are collection vehicles maintained in a sanitary condition? NA

Security

- 2.2 D. Is the site provided with a suitable fence? Yes Lockable gates? Yes
 Has an alternate means of access control been approved by the Department? No
 Does the alternate means provide adequate control? NA

Water Pollution

- 3.3e(5)E. Is ~~solid waste~~ deposited within 500 feet of a drinking water source (water supply well ---, intake of water treatment plant ---, or raw water intake for a public water system ---)? No

- 4 F. Is solid waste placed in unconfined water? No Explain _____ --
- 4 G. Is lining of excavations or disposal areas required? No
 If so, did site operator notify the Department of liner completion prior
 to acceptance of solid waste? --
 Is site considered adequate to receive solid waste? Yes
- 4 H. Is flood protection provided for site? No Is it required? No
 When flooded? (Refer to permit application, where appropriate) _____ --
- 4 I. Can surface drainage enter working face or actively used excavation? . . . No
- 4 J. Is water which has been in contact with solid waste being discharged
 from the site? _____ Is discharge authorized by TWQB? --

Operational Standards

- 1 K. Is adequate fire protection provided? Yes
 Method? Earthen Stackpiles
- 2 L. Is unloading of waste confined to as small an area as practical? No*
- 2 M. Is an attendant on duty when site is open? . Sat. 8:30 - 11:30 A Yes
 Are adequate signs posted for internal control when attendant is not on
 duty? Attendant always on duty when site open
- 3 N. Is blowing waste confined satisfactorily? Yes
 Controls _____ None
- O. Hazardous, Mixed and Special Wastes:
- 5a Are water or waste water treatment plant sludges or grease trap wastes
 accepted? No If yes, type _____ --
 Are disposal procedures adequate? NA
- 5b Are dead animals or slaughterhouse wastes accepted? No Disposal
 procedures adequate? NA
- 5c Are significant amounts of TWQB Class I industrial solid wastes accepted? No
 If so, has approval been obtained from the Department? --
 Is operation compliant with Department's approval requirements? --
- Are hazardous wastes (EPA List) accepted? No Specify kind _____ --
 If so, has approval been obtained from the Department? -- Are
 pesticide containers that have not been rendered unusable covered upon
 receipt? --
- 6 P. Adequate provisions for: bulky items? Yes
 brush and construction-demolition wastes? . . . Yes
- Q. Burning observed or in evidence? Yes Is burning authorized by TACB? . Unk
- R. Fly population: Heavy _____ Medium _____ Light X None _____
 Evidence of rodents? None Birds? _____ None
- 1 S. Is salvaging allowed? _____ Is it adequately controlled? --
- 1 T. Is scavenging occurring? (Explain in comments) No
- 3 U. Is cover adequate and applied at required frequency? No*
 Are closed sections of the landfill properly maintained? Initial Trench
- 4 V. Is ponded water a source of obnoxious odors? No

Permit Requirements

- W. If site is not permitted, was the site in operation prior to
 October 16, 1974. Yes * No _____
- X. Is site in compliance with permit special provisions? NA
 If no, explain in comments.

*Evidence of previous promiscuous dumping.

Improvements since previous inspection: NA

16. Summary of non-compliance: Unloading of refuse not confined to the smallest practical area. (F-2.2) Improper earth covering procedures. (F-2.13) Solid Waste disposal site being operated without submitting an application for a permit. (E-2)

17. Comments (use additional sheets if necessary): --

Operation Considered To Be: Satisfactory X Unsatisfactory

8. Recommendations (use additional sheets if necessary): Unloading of solid waste must be confined to as small an area as practical. A Type III operation with monthly compaction and covering of all deposited solid waste with at least six inches of compacted earth must be provided. A permit application form must be completed and submitted.

9. Action Requested of Central Office: Date, sign and transmit letter to Mr. Glash.

10. Unclassified sites: Where the site operator has not been officially notified of the required type of operation (by letter or by issuance of a permit) state type operation recommended and justification. Type III Reasons (screening, traffic, etc.)

We would recommend that this solid waste disposal facility be classified a "Type III" operation based on the low volume of municipal solid waste being received, the area topography, natural screening, very little potential fire hazard, and low traffic volume on nearby road.

Have these conditions changed since previous inspection? NA

(Please attach copies of letter originated by Regional Office)

Inspected By Earl A. Ballman, P.E. Date August 17, 1977

Approved By  Date 8.26.77

CDHR 5/77



Texas Department of Health Resources

SOLID WASTE MANAGEMENT DIVISION

TELEPHONE/VISIT MEMO TO THE FILE

Date: Sept 8, 1977

File Subject (name): SW- Milan Co. Friendship Comm. (near Davilla) - Unauth Disp site
 Name of Caller: Mr. Earl A. Ballman (Ref: 90183)
 Title of Caller: Engr Phone No.: 820-1431
 Organization of Caller: TDH- PHR/6
 Solid Waste Representative: L.E. Laird
 Subject of Call: Location & condition of subject site

Print - Typing not necessary

Comments:

Reference Memo of 8-26-77, SCC to TDT, concerning an unauthorized SW site (as reported by the TACB) in the vicinity of Davilla but is different from the previously inspected GT site at Davilla.

Mr. Ballman advised that the old site at Davilla is not the site indicated in this recent complaint of burning. The old site at Davilla was last inspected in Jan 77, and a letter sent to Co. Judge 2-8-77 listing the conditions of non-compliance and the corrective action required. The Co. Commission has decided to close the site (an old mined out gravel pit just west of Davilla) which has been fenced, signs erected and all dumping has ceased and there is no burning. There is no concern material remaining on this site and material is being hauled in. Last observation indicated closure was about 75% complete, all exposed material is burned and ash and apparently was no health problem.

The site concerned in the recent complaint is located approx 4 miles from Davilla toward Cameron, near FM 1328, NE of the intersection of FM 437 & FM 1328, and behind the schoolhouse at Friendship. Reportedly, records in the Courthouse indicate this property belongs to the "Friendship Rural Community" headed by Mr Eugene Glash, President. Inspection has been made, Ref: insp report (of 8-17-77) dated 8-26-77, (letter 8-30-77).

(Continue on back-start on opposite bottom)

SIGNED L.E. Laird

September 22, 1977

Mr. Eugene Glash, President
Friendship Rural Community
P.O. Box 64
Davilla, Texas 75623

Subject: Solid Waste - Milam County
Friendship Rural Community - Unauthorized Solid Waste Disposal Site;
4.8 Miles East of Davilla on FM 1328

Dear Mr. Glash:

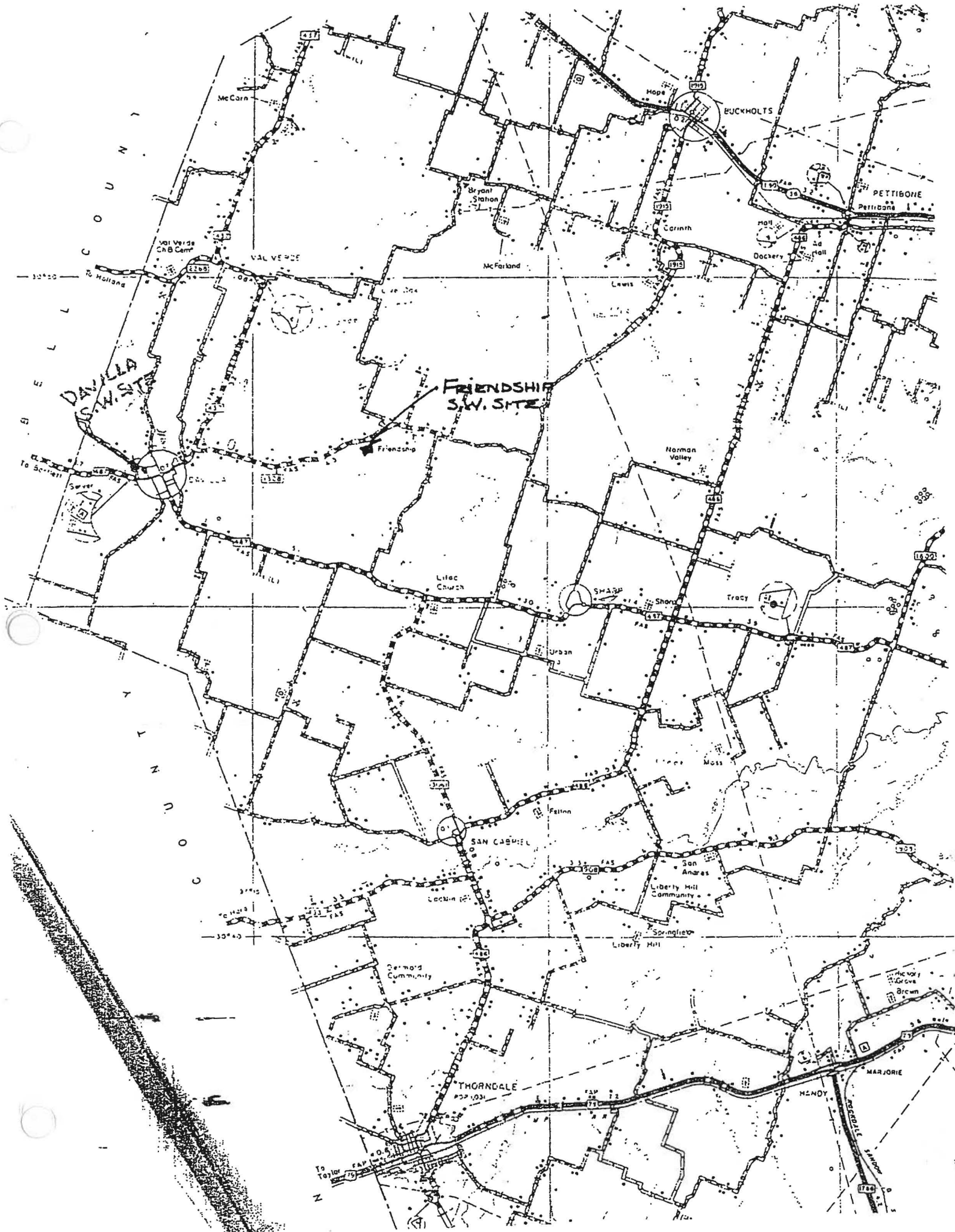
is to remind you that our August 30, 1977 letter requires
ated permit application to be submitted to this Depart-
or about October 5, 1977. If the permit application
already been submitted, please disregard this reminder.

we can be of any assistance regarding solid waste management,
use contact us here in Austin, or Mr. Thomas D. Tiner, P. E.,
onal Director of Environmental and Consumer Health Protection,
. Box 190, Temple, Texas 76501; telephone number (817) 778-6744.

Sincerely yours,

LBR
L. Carmichael, P.E.
or
on of Solid Waste Management

Region 6, TDH
Milam County Health Department



TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 1

Date:

Name of Site 1) Friendship 2) Community

County Milam District 03 River Basin 1

Location 4 mi. E of Devilla near FM 1328
NE of FM 4371 FM 1328 Inty

Latitude _____ Longitude _____ Code II

SE Corner Y/N

Aerial Photo Series Name _____
Num. Code _____

7.5" Topographic Series Name _____
Num. Code _____

OPERATIONAL INFORMATION

Current Property Owner Friendship Community Code C #5
Address _____
Telephone _____

Dates of Operation ≤ 1974 to 2/K Size 2/K acres/cu. yds
(circle one)

Parties That Utilized Site 1

Type of Waste: Household Y/N Construction/Demolition Y/N Industrial Y/N

Tires Y/N Agricultural Y/N Brush Y/N Other _____

Hazardous Waste: Unlikely Y/N
Probable Y/N
Certain Y/N

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 2 Site Name: _____ Date: _____

Legal Status During Operation _____ Legal Unauthorized Y/N
Y/N

Maximum Depth _____ Feet Code IV

Constructed Liner Y/N If yes, describe _____

CLOSURE AND POST-CLOSURE

Final Cover Y/N Minimum Thickness _____ Code V

Current Use VI

Buried Utilities Y/N Structures Y/N Adjacent Structures (within 3000 ft) Y/N

Petroleum/Product Pipelines Y/N Wells (oil or water) Y/N

Status _____ Dates of Observation _____

Seeps Y/N _____

Gas Y/N _____

Vegetative Distress Y/N _____

Cover Erosion Y/N _____

Ponded Water Y/N _____

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

Page 3

Site Name:

Friendship, Melina

Date:

OTHER INFORMATION

Aquifer Recharge Zone

Y/N

Aquifer

Inspection Record

8/4/77 - 6 miles to nearest

water course; trench operation;
burning observed.

Comments

Identified in 9/8/77 TDH memo;
map in file

TEXAS WATER COMMISSION

Closed/Abandoned Landfill Inventory

EXPLANATION OF CODES

CODE

I River basin code currently utilized by MSW Division

- II
- a) from inspection
 - b) from map
 - c) reported

- III
- a) certain
 - b) reported
 - c) speculated

- IV
- a) certain
 - b) reported
 - c) speculated

- V
- a) certain
 - b) reported
 - c) speculated

- VI
- a) residential
 - b) commercial
 - c) industrial
 - d) park/recreation
 - e) school/hospital
 - f) agricultural
 - g) road
 - h) municipal
 - i) no activity