

MEMORANDUM

TO Chief Clerk, GLO

SUBJECT: Deed from Judge Matt Davis to State of Texas,
dated Jan. 31, 1966

DATE: 3 May 1966

Attached is Appraiser's Report on the four tracts in Upshur County. All tracts are in colored communities. Taxes are all paid. On tracts 2 and 3 taxes were paid by Judge Davis. There are deeds of record to the Judge on his interest in all four tracts. Tracts are worth \$50.00 per acre.

Tracts 1, 2 and 4 do not appear to be in use by anyone.

Person in possession of Tract 2 says Judge owns no interest. Persons with whom appraiser talked question his title to any interest in any tract. He deeded Tract 3 to Gilmer School District about two years ago and they refused to take it.

13.29 acres

13.75

2.25

2.50

31.79

\$50

\$159,950 or \$1600.00

5-16-66

Place in files.

(K)

Shaw

Alton D. Shaw
Attorney, VLB

*Kelly check
this & let
me know
Jck*

county 38773

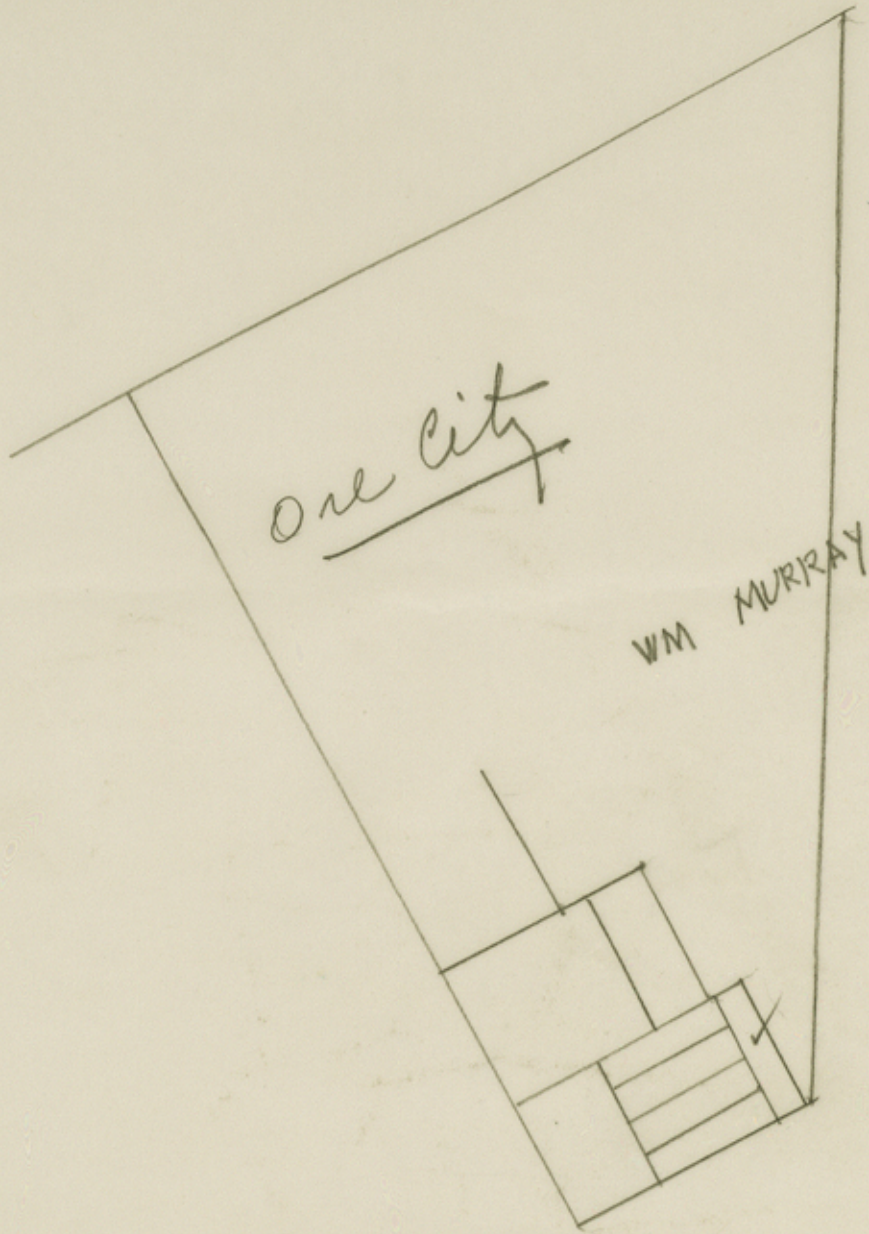
MAY 2 1966

Re: Judge Mat Davis et al deed to
interest in 4 tracts of land in
Upshaw County -

Tract #1. William Murray Sumner
abs. #297. 26.58 acres
#265⁰⁰ Tax Value. - This tract of
land is located in Ore City
area of Upshaw County. In closed
community. Vol. 178/429 deed
records of Upshaw County, shows
Ed Armstrong to Mat Davis
50 acres - #225 Paid - July 6 1949 -
This land has no house on
it and has small timber and
brush - Some overflow - Poor
road to farm - Mr. Ferguson,
Merchant, Ore City knows the land
and said \$50 per acre without
minerals was fair market
value - Due to high water I was
unable to see this property -
did not find ^{any} pass due taxes
on this farm - No one is using
property as far as I could learn -
There appear to be some
Armstrong heirs interest in
property, but could not learn
where or who they were - Several
people told me they doubted if Judge
Davis had good title to property -

Shelby 1-214

counter 38774



one city

WM MURRAY

MAY 2 1966

Tract # 2. 13 $\frac{3}{4}$ acres -

John T. Collier Sunny, abs. # 114
Estate of Pete Montgomery - (col).
located in Coffeeville School District -
Vol 152/334 dead records in
Upshur County -

J. M. Willis, el v 4, Maggie Willis
to Mat Dairn, 13 $\frac{3}{4}$ acres, #10 $^{\circ}$ -
located near New Mountain -

Judge Dairn has been paying taxes
on property and no back taxes
are due - From general area this
property is worth \$50 $^{\circ}$ per acre -
Also in located colored area no
road to place - No being used -

Talked with Mr. Babe Gaddis, merchant
in Gilmer, who is son-in-law
of Mr. Willis and he said if
Mr. Willis ever owned any property
in this area he was not of the
knowledge - Mr. Willis is very old
and lives in Smith County - Also in
the state at the time I was was
another daughter of Mr. Willis and she
stated she never ~~at~~ knew of her
father owning any property in this
area -

Harrison P. 63

Tract # 3. L. B. Brown Survey abn. # 23

9 acres - (Davis interest 2 1/4 acres)

This land is in Gilmer School district - Tax Value \$30 - Judge Davis has paid taxes on property - No taxes are due - This is colored property -

Deed records - Upshur County -

Vol 194/459 - 2-11-1953

Louie Rhoden to Mat Davis

9 acres of land -

This property is located on F.M. 2263

has 5 room house where Mrs. Cornelia Rhoden ^(Col) lives - She says she owns about 58 acres here and Mr. Davis has no claim to this land -

she said he came out to her farm 2 or 3 years ago and said he had a deed to part of farm - she told him she owned farm and paid taxes on it - she said he never came back -

she said her husband died in Nov. 5, 1955 in Mental Hospital in Terrell, Texas - This land is located

in Zion Hill Community about 9 miles N/E of Gilmer, Texas - I was told in Tax office he (Judge Davis) deeded this property to Gilmer School district about 2 years ago but they refused it - This property fair market value is \$100 per ac. on F.M. road -

Harrison 1-48

Tract #4 M.F. Floren Survey abn. #2.
 2 1/2 miles S/E of Gilmer, Tex.
 5 acres - (Davis Interest 2 1/2 acres)
 \$25⁰⁰ tax value - Taxes are
 paid -

Record records - Upshur County -

Vol. 188/178 8/10/1957

Georgia Mar. Prime to Mat
 Davis 5 acres - \$10⁰⁰

This is also colored area and
 from what I could learn no
 one is using property - This property
 without minerals has fair
 market value of \$50 per acre -

References: J. N. Sheppard - owner of Abstract office
 Gilmer, said he doubted if Judge
 Davis had a good title to this 4 tracts
 of property -

Walter Coe - real estate - Gilmer,
 said about the same thing -

Records in County Clerk's office

✓ Tax Collector ✓

D. T. Loyd, First National Bank, Gilmer
 said about same thing -

Charlie Roberts, Real estate, Gilmer -
 said people here knew Judge Davis
 well when he was a lawyer here
 and he did not think Judge Davis
 would have a good title -

Jewell Steed 4-27-66

WARRANTY DEED

455

STATE OF TEXAS ◊

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF UPSHUR ◊

That we, Matt Davis and wife, Eddie Mae Davis, of the County of Upshur, State of Texas, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, to us in hand paid by the State of Texas as follows: Cash in hand paid, the receipt and sufficiency of which is hereby acknowledged and confessed, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said State of Texas, all of our surface interest in and to the following described tracts of land:

FIRST TRACT: All that certain tract or parcel of land lying and being situated in the William Murray HRS in Upshur County, Texas, and described by metes and bounds in a Warranty Deed from Henry Hudspeth and wife, Mrs. R. A. Hudspeth, to Willis Wesley, dated January 11, 1905, and recorded in Vol. 15, at page 457, in the Deed Records of Upshur County, Texas, and containing 26.58 acres of land, more or less; and, being described as the "Second Tract" in said Deed, to which deed and the record thereof reference is here made and made a part hereof. It is agreed and understood that the Grantors only own or claim a one-half (1/2) interest in and to the above described tract of land which is hereby conveyed;

SECOND TRACT: All that certain tract or parcel of land situated in the John T. Collier Headright Survey in Upshur County, Texas, and beginning at the Northwest corner of said John T. Collier H.R. Survey; THENCE N. 70 E. 347 vrs to the N.W. corner of a tract of land set aside for Silvia Montgomery, et al, in the division of the Estate of Pete Montgomery, deceased; THENCE S 20 E 224 vrs. to a stake for corner; THENCE S 70 W. 347 vrs. to a stake for corner in the W.B. line of the said John T. Collier Headright Survey; THENCE N 20 W 224 vrs. to the place of beginning, containing 13 3/4 acres of land, more or less, on the John T. Collier Headright Survey;

THIRD TRACT: All of our interest in and to and out of the following described tract or parcel of land lying and being situated in the L. B. Brown Headright Survey in Upshur County, Texas, and described as follows: BEGINNING at the Northwest corner of a 9 acre tract deeded to Wealthy Wallace in April, 1932 by Ida Ivery, George Granville and Huella Fort; THENCE N 77½ yds; THENCE E 540 yds to the Gilmer-Pittsburg (old road); THENCE S with said road 77½ yds; THENCE W 540 yds to the PLACE OF BEGINNING, containing Nine (9) acres of land, more or less. It is understood and agreed that the Grantors only own, or claim, Two and One-fourth (2½) acres out of the above described tract of land which is hereby conveyed;

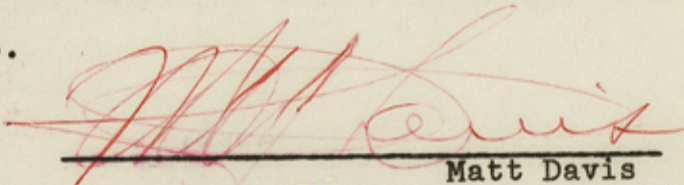
FOURTH TRACT: All that certain tract or parcel of land lying and being situated in the M. F. Flores grant in Upshur County, Texas, about 2½ miles S.E. from the town of Gilmer, Texas, and described as follows:

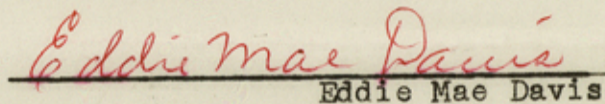
BEGINNING at the N.E. corner of the Clyde Carson tract on said survey; THENCE West with the South Boundary Line of the J. C. McDonald tract 230 vrs. to a stake in same for corner; THENCE South 122.7 vrs. to a stake for corner in a field; THENCE East 230 vrs. to a stake for corner in the East Boundary Line of same Carson tract; THENCE North with said line 122.7 vrs. to the place of beginning, containing Five (5) acres of land. It is understood and agreed that the Grantors only own Two and one-half (2½) acres of land in the above described tract, which is hereby conveyed.

RESERVATION; The Grantors, Matt Davis and wife, Eddie Mae Davis, do hereby expressly reserve of and from this conveyance, any and all of the oil, gas, and/or mineral interest in and to the above described tracts of land, with the right of ingress and egress at all times, for the purpose of producing said minerals or securing them from the land for sale, or any other purpose, without any liability on the part of the Grantors for any damages done as the result thereof. This conveyance is to be retroactive from this date to January 1, 1966.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said State of Texas, its heirs and assigns forever, and we do hereby bind ourselves, our heirs, executors and administrators to Warrant and Forever Defend all and singular the said premises unto the said State of Texas, its heirs and assigns, against every person lawfully claiming, or to claim the same, or any part thereof.

WITNESS OUR HANDS at Texarkana, Bowie County, Texas, this the 31st day of January, 1966.


Matt Davis


Eddie Mae Davis

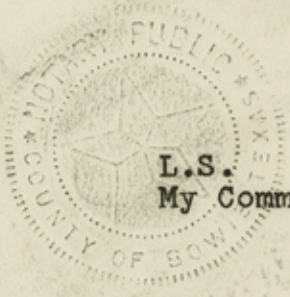
THE STATE OF TEXAS |
COUNTY OF BOWIE 0

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Matt Davis and wife, Eddie Mae Davis, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the

purposes and consideration therein expressed, and the said Eddie Mae Davis, wife of the said Matt Davis, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Eddie Mae Davis acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of January, 1966.

Bonnie O'Neill
Notary Public in and for Bowie
County, Texas.



L.S.
My Comm. exp. 6-1-67.

THE STATE OF TEXAS,
County of Upshur.

I, O. W. LOYD, Clerk of the County Court of said county, do hereby certify that the foregoing instrument of writing was filed for record in my office on the 9 day of Feb. A. D. 19 66 at 8:10 o'clock A. M., and duly recorded on the 9 day of Feb. A. D. 19 66 at 1:10 o'clock P. M., in the Deed records of said county, in Volume 299, on Page 246.

Witness my hand and seal of the County Court of said County, at office in Gilmer, Texas, the day and year above written.

O. W. LOYD

Clerk, County Court of Upshur County, Texas

By Yvonne Ray Deputy

Mirror 10M1065

455

WARRANTY DEED

MATT DAVIS, ET UX,
EDDIE MAE DAVIS

- TO -

THE STATE OF TEXAS

400 Texas City Hall
Seaboard, Tex. 75001

FILED
1966 FEB -9 AM 8:10
O. W. LOYD COUNTY
CLERK, SEABOARD COUNTY.

299-246

2
530
230
AR

counter 38782

Re: Matt Davis, et ux
deed to interest in
4 tracts Upshur County
13 April 1966

Mr Bishop
Chief Appraiser

Please ask an Appraiser to give you
a report on as much of the following as
he can:

1. Value of each whole tract ✓
2. Amount of all taxes due on
each tract by year found
no
taxes due
on any -
3. Who is in possession and by
what authority, if any
4. The names and addresses of
any other owners.
5. Any other information that
he thinks may help.

Re Shaw atty VLB

March 30, 1966

Texas Highway Department
Right of Way, D-15
Austin, Texas

Attention Mr. Oney L. Chafin

Dear Mr. Chafin:

Attached is a copy of the deed from Matt Davis to undivided interests in four tracts in Upshur County.

This is the deed we discussed by telephone and which we cannot identify with any transaction here.

If you find it pertains to the Highway Department please let us know and we will send you the original deed.

Sincerely yours,

JERRY SADLER, Commissioner

JS:ads

Chas Henderson Hwy Dept called + said could not locate but was sending to District Engineer in Atlanta Texas for check. 1 Apr 66 Luan

counter 38784



Roberts
Shaw

COMMISSION
HERBERT C. PETRY, JR., CHAIRMAN
HAL WOODWARD
J. H. KULTGEN

State
TEXAS HIGHWAY DEPARTMENT

AUSTIN, TEXAS 78703

STATE HIGHWAY ENGINEER
D. C. GREER

April 11, 1966

IN REPLY REFER TO
FILE NO. D-15

Conveyance Instrument

4

RECEIVED
APR 12 1966
General Land Office

Mr. Jerry Sadler, Commissioner
General Land Office
Austin, Texas

Dear Sir:

Your letter of March 30, 1966, concerning the conveyance of four tracts of land in Upshur County to the State by County Judge Matt Davis and wife, Eddie Mae Davis, was referred to our District Engineer G. A. Youngs in Atlanta for investigation.

Mr. Youngs has now advised that the Highway Department has no interest in this conveyance and that in their contact with Judge Davis, it was learned that the sole purpose of the conveyance was to avoid payment of annual taxes which amounted to more than the original cost of the land.

We trust this is the information you desire, and if we can be of further assistance, please advise.

Yours very truly,

D. C. Greer
State Highway Engineer

By: *A. H. Christian*
A. H. Christian
Right of Way Engineer

counter 38785

Joe Hill
Matt Davis ✓
Texarkana, Tex.

RECEIVED
FEB 26 1966
General Land Office

Return to 28 Mar 66
show if
can't find
VIA
STERLING
ENGR

3-23-66

Note:
These (4) four
tracts are not the same
land as described in the
original contract of sale.

All four tracts are
in different surveys and
none of them are in the
Robert Survey. The
acreage to be conveyed
is 124.377 acres. See
F111s by R. E. McClelland
in files. Me

Mr. Diney Chaffin
of Texas Highway
Dept. - GL 2-8111
Ed - 361

Surface
Upshur County
Wm Murray Survey
1/2 interest 26.58a

About Right - of -
Way information
you wanted.

Collier Sur
all 13 3/4 13.75a

9 acres
Brown Sur
convey 2 1/4 acres

Flores Grant 2 1/2 miles
S East of Palmer

1/2 5 acres
called 24 Mar 66
Chas Henderson Hwy Dept
GL 2-8111 Ex 363

4:40
\$

28 Mar 66

This on deed dated 31 Jan 66 recorded Vol 299 Page 246 Deed Records
Upshur County, Texas, from Matt Davis, et ux, to State of Texas
counter 38786

Chief Clerk 12 Apr 66
Attached is the
Judge Matt Davis deed
and letter from Hwy Dept.
Want appraiser
to look at the tracts
first? Taxes? Minerals
all received. Shaw 12 Apr 66

Yes have appraiser
check land and taxes
then take reports to the A.

WARRANTY DEED

455

STATE OF TEXAS ◊
COUNTY OF UPSHUR ◊

KNOW ALL MEN BY THESE PRESENTS:

That we, Matt Davis and wife, Eddie Mae Davis, of the County of Upshur, State of Texas, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, to us in hand paid by the State of Texas as follows: Cash in hand paid, the receipt and sufficiency of which is hereby acknowledged and confessed, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said State of Texas, all of our surface interest in and to the following described tracts of land:

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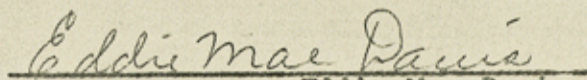
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TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said State of Texas, its heirs and assigns forever, and we do hereby bind ourselves, our heirs, executors and administrators to Warrant and Forever Defend all and singular the said premises unto the said State of Texas, its heirs and assigns, against every person lawfully claiming, or to claim the same, or any part thereof.

WITNESS OUR HANDS at Texarkana, Bowie County, Texas, this the 31st day of January, 1966.


Matt Davis

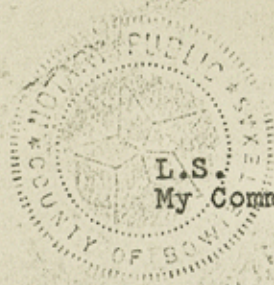

Eddie Mae Davis

THE STATE OF TEXAS |
COUNTY OF BOWIE |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Matt Davis and wife, Eddie Mae Davis, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the

purposes and consideration therein expressed, and the said Eddie Mae Davis, wife of the said Matt Davis, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Eddie Mae Davis acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of January, 1966.



Bonnie O'Neill
Notary Public in and for Bowie
County, Texas.

My Comm. exp. 6-1-67.

THE STATE OF TEXAS,
County of Upshur.

I, O. W. LOYD, Clerk of the County Court of said county, do hereby certify that the foregoing instrument of writing was filed for record in my office on the 9 day of Feb. A. D. 19 66 at 8:10 o'clock A. M., and duly recorded on the 9 day of Feb. A. D. 19 66 at 1:10 o'clock P. M., in the Deed records of said county, in Volume 299, on Page 246.

Witness my hand and seal of the County Court of said County, at office in Gilmer, Texas, the day and year above written.

O. W. LOYD

Clerk, County Court of Upshur County, Texas

By *Uronne Ray* Deputy

Mirror 10M1065

File No. Sketch File 18
Upshur County
Deed to State - 4 tracts
Filed May 16 1966
JERRY SADLER, Com'r
By H. Forbes

counter 38791