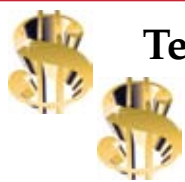




Focus on Faith
"Come Quick,
PawPaw!"... A2



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Holiday...
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Muleshoe Journal



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Muleshoe, Texas

July 17, 2014

County Farmers Air Concerns on Road Conditions

By Gail M. Williams
Plainview Herald

The Bailey County Commissioner's Court met in regular session in the Bailey County Courthouse, Monday, July 14.

Ray West addressed the court regarding Phase II of the RV Park. West said three years ago, many people cooperated in getting the machinery and equipment necessary to get Phase I completed.

"I thank you for what you did before," West said, adding that the cost for Phase I was \$41,000. "Without the help of the county and city, the cost would have



Rhonda King reads a narrative to the County Commissioners concerning the county roads.

been well over \$100,000."

Now, West said, he needs the help of the county again.

The start of Phase II was delayed because an owner of the property could not be found. Two years ago, West said, he bought the property at

a tax sale and was required to wait another 6 months before anything could be done.

Now, though, the land is ready for the RV Park to build more spots.

The commissioners agreed that word was getting around about the RV Park, and that

someone was always there.

"It's a very positive thing for Muleshoe and for Bailey County," Harrison said.

Rhonda King read a narrative detailing the problems farmers have had recently in not having access to county roads. The roads specified were CR 243, 229, 217, 207, 197, 1133 and 1170.

The narrative says requests for action by the commissioners had "fallen on deaf ears," and that comments made to Chad King, who complained to Commissioner Butch

Continued on A8

Muleshoe City Council Approves Landfill, R.V. Park Expansions

By Gail M. Williams

The Muleshoe City Council held its regular meeting Monday, July 14, at City Hall. Members present were Mayor Pro Tem Irene Mason, Council Member Gary Parker and Council Member Eric McElroy.

Also present were City Secretary LeAnn Gallman, City Manager David Brunson and Attorney Matt Wade.

The council approved a recommended incentive for Phase 2 of the Heritage Foundation R.V. Park

to extend the Muleshoe Economic Development Corporation up to \$40,000 to add four spots to the R.V. Park. It has been reported that as many as five or six trailers have been piggybacked in one spot. The council agreed

that expanding the park would be good for the city's economy.

The council authorized the purchase of property for landfill expansion. Brunson said the current Type 4 landfill was nearing

Continued on A3

Gallman, Named Clerk Of The Year

Muleshoe City Secretary LeAnn Gallman accepts the annual Texas Clerk of the Year Award from Art Comacho, city secretary of Haltom City, representing the Texas Municipal Clerks Association. See page A3 for more details.



Local Sales Tax Collections Decrease

By Doug McDonough

The latest sales tax figures, released last week by Texas Comptroller Susan Combs, indicates that the economic effects of a lingering multi-year drought is beginning to ease for most of the area with seven of the 10 communities monitored by the Muleshoe Journal posting sales gains over the same period a year ago.

The only communities showing declines were Muleshoe, Morton and Littlefield.

The figures represent retail sales made during May and reported to the state in June. The Comptroller's Office forwarded its July payments to the

respective communities late last week.

July's sales tax figures follow a similar trend in June when the same three communities, along with Sudan, posted sales declines while the rest of the area recorded gains in retail economic activity.

Littlefield posted the largest decline for the month, dropping 16.12 percent in revenues from the same period in 2013. However, its numbers represent an improvement from the June tally when sales declined 23.09 percent.

In actual income, Littlefield received \$80,106.64 in sales tax revenues in July, down from \$95,504.26 in July 2013. That compares with a \$74,851 payment

received in June.

Muleshoe received a \$42,911.76 payment this cycle, which is off 7.19 percent from \$46,238.27 received in July 2013. That's slightly above the \$42,539.12 payment received last month, which was off just 0.47 percent from \$42,744.20 received in June 2013.

Morton's payment for July 2014 is \$8,812.18, down 9.44 percent from \$9,731.07 received a year ago. Last month that community received \$9,636.25, which represents a 7.32 percent shortfall from a year earlier.

Farwell posted the strongest percentage gain from a year earlier with a 47.29 percent hike, going from \$8,702.10 in July 2013

to \$12,818 this cycle. Last month, Farwell showed a more modest 18.5 percent increase in sales tax revenue, climbing from \$7,888.56 to \$9,348.48. Friona

Continued on A3

Sales Tax Results

City	Net Payment	Same period Prior year	Percent Change
Muleshoe	\$42,911.76	46,238.27	-7.19%
Dimmitt	\$33,957.25	32,291.46	5.15%
Morton	\$ 8,812.18	9,731.07	-9.44%
Littlefield	\$80,106.64	95,504.26	-16.12%
Earth	\$ 4,361.03	3,509.41	24.26%
Olton	\$11,985.35	11,181.52	7.18%
Sudan	\$ 5,157.14	5,013.34	2.86%
Farwell	\$12,818.00	8,702.10	47.29%
Bovina	\$ 8,706.69	7,162.32	21.56%
Friona	\$39,248.32	31,401.43	24.98%

Hantavirus Confirmed In Texas Panhandle

MIDLAND - 3 cases of Hantavirus confirmed in Texas Panhandle, Lubbock area.

State health officials are asking Texans to be careful around rat and mice nests after confirming two more cases of Hantavirus this month.

The Texas Department of State Health Services

reported a total of three cases so far this year, one in the Texas Panhandle and two in the South Plains area.

Texas had one case last year, and no cases were reported from 2009 to 2012, according to the state. A third of cases reported to the state health department since 1993 have resulted in the death.

Infected rats and

mice shed the virus in their urine, droppings and saliva, which contaminate dust and nesting materials that humans breathe in.

Health officials recommend sealing openings to homes and workplaces while removing food sources and piles of items that attract rats and mice.

If nests are found, the area should be ventilated

for at least 30 minutes and then dampened using a 1-to-10 bleach-water mixture twice, according to the state. Goggles and masks are recommended.

Hantavirus symptoms include fatigue, fever muscle aches at first, followed by headaches, chills, diarrhea, abdominal pain, coughing and shortness of breath.



Photograph by Gabby Perez

Local youngsters, Davian and Zaden Sital sell a snowcone to Tre Villa during a hot summer day.

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OPINION

Around Muleshoe...



Announcements from non-profit organizations in the Muleshoe area.

To post an announcement send an email to editor@muleshoejournal.com

SPC Camp Bluegrass

South Plains College will host the 28th Annual Camp Bluegrass July 13-18. This year's camp will celebrate the music of the Stanley Brothers.

This six-day residential camp attracts bluegrass musicians of all ages and skill sets from across the nation. Classes are conducted in the Commercial Music building with nightly faculty concerts scheduled in the Tom T. Hall Production Studio.

The faculty concerts are free, and open to the public. For additional information, call Joe Carr, Professor of Music, at (806) 544-9703 or (806) 716-2493 or visit www.campbluegrass.com.

Lady Mule Basketball Camp

The annual Lady Mule basketball camp will be held Monday July 28 - Wednesday July 30 from 9:00 to 12:00 at the Muleshoe High School gym. Camp is open to incoming 3rd thru 9th grade girls. For more information or to preregister, call Coach Carey Sudduth at 272-3761 or 946-9302.

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Come Quick, PawPaw! It's an Emergency!

"Come quick, PawPaw! Come quick!" came the plea from the back door. As I recall, it was one of the times that week when the sweet almost-six-year-old voice intoned again, "It's an emergency!"

Well, come I did. Out into the back yard, pulled by Brenley straight to the pool.

"The pool" is a plastic "blow-up" wading pool, maybe a foot deep. I admit we'd drowned the "fill point" line marked on it by the same folks who scribbled lawyer-litter on the hose we used to fill said pool, sternly warning me not to put the hose in my mouth and turn the faucet on.

Back to the emergency.

Bodies were floating in the pool. It didn't take CSI Muleshoe to identify them. Bug bodies. Brenley had already done the initial investigation. As I made my way to the microcosmic ocean, she reported, "Five, PawPaw!"

There they lay. Or floated. In a kind of bug-eyed insect rigor mortis. Past all human help and grotesquely out of place in that decadent resort pool surrounded by lush palm trees, white-clad waiters, and paparazzi hoping to cadge photos of the rich and famous.

Okay, for real. Plastic pool. Elm trees. No waiters or paparazzi, just a little brindle-colored dog hoping to stay out of the line of fire of anything wet. No CSI techs.

But the bodies were there, and out of place. It was July, and they were still recognizable as June bugs, grub worm kamikazes issued wings, buzzed up, launched way short of flight training. They'd



Focus On Faith
Curtis Shelburne

ditched at sea. And why not? All June bugs do is mindlessly crash, hazards to prudent navigation. These had paid the ultimate price.

Bren was obviously not comfortable with burying them at sea. A quick bucket dip-out, an over-the-shoulder fling-out, and...

I wish all the emergencies my grandkids will experience were so easily handled. The little folks are growing too fast, and the thought of a time when spending time with PawPaw and MawMaw in the back yard, all smiles and giggles because they've found a cool rock with a hole in it, or one that glitters, made stew by stirring leaves and water and dirt in a colored bucket with a stick, and shared stories and held royal court in the magic castle shed—well, the thought of a day when those delights fade breaks my heart. Right now, the little people know what's really important. They know who really loves them, and the amount they care about what anybody else thinks is not much at all.

Grownups are

incredibly dreary and short-sighted, and I can't imagine these amazing folks with imaginations gone dull and dormant. I pray they never lose the seeds of what is in full flower in them right now. I suppose the flowers must fade some with the years, but one day these folks I adore will be old enough that the seeds will sprout again, probably watered by their own grandchildren. And

they'll be young again together.

No wonder our Creator delighted in spending time with children. I love that about him. However he arranges it will be fine, but I hope to spend an eternity doing that same thing myself where bugs aren't any kind of emergency, and genuine joy—and giggles aplenty—are the King's orders for the eternal day.



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Texas Sales Tax Holiday is August 8 to 10

(AUSTIN) — Texas Comptroller Susan Combs reminds shoppers they can save money on certain items priced under \$100 during the state's annual sales tax holiday. This year, the sales tax

holiday is scheduled for Friday, Saturday and Sunday, Aug. 8-10.

The law exempts most clothing, footwear, school supplies and backpacks priced under \$100 from sales tax, which could save

shoppers about \$8 on every \$100 they spend during the weekend.

"Families gearing up for the new school year will not pay any sales tax for many back-to-school items ranging from pens to blue jeans," Combs said. "When the back-to-school list is long and the money is short, it can be difficult for Texas families. We hope this tax break will help ease that burden."

Lists of apparel and school supplies that may be purchased tax free can be found on the Comptroller's website at www.TexasTaxHoliday.org.

This year, shoppers will save an estimated \$82.7 million in state and local sales taxes during the Sales Tax Holiday. The tax holiday weekend has been an annual event since 1999.



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City Council continued from A1...

capacity. The property being considered "across the fence" from the current landfill is an ideal location, Brunson said. He later added that the purchase is contingent upon making sure that the land is not a prairie chicken habitat and getting it cleared from an existing CRP lease.

The 60 acres at \$1,500 an acre will cost the City of Muleshoe \$90,000 with the money coming from the city's reserve fund.

"We have no alternative," Brunson said.

The council approved Resolution No. R-699-0714, Submission of

a HOME Program Application to the Texas Department of Housing and Community Affairs. Brunson said the city would be able to rebuild five homes at a cost of \$80,000 to the city. Thus far the program has rebuilt 11 homes in the community.

Mason reported on the Leadership Academy and TML (Texas Municipal League) Board meeting that she recently attended. The mayor pro tem is on the board of directors for TML. She spoke enthusiastically about the benefits of the Leadership Academy and said closing speaker Scott Hanson

spoke of the value of upholding religious prayer at city council meetings. Mason said she is glad that the Muleshoe council has had no problem from the community with a prayer to open its meetings.

Mason said the TML has agreed to support Rep. Joe Straus of San Antonio in his efforts to keep using state highway funds only for transportation.

At the end of the meeting, Art Comacho, city secretary of Haltom City, came out of a back room to address the council, and several more people entered the room to surprise

LeAnn Gallman, who has been named Texas Clerk of the Year by the Texas Municipal Clerks Association.

Gallman thanked Comacho for coming so far, as well as the council and her supporters.

"I love what I do, I love serving the citizens of Muleshoe. I can't imagine doing anything else," she said with tears in her eyes. "Thank you all very much."

In other action, the council:

Offered an opportunity for public participation concerning the 2012 Drinking Water Quality Report. No one participated.

Received 4 Fireworks Show. and approved the Investment Summary and Financial Statement for the quarter ending June 30, 2014.

Recognized the Muleshoe Fire Department for its July

Said that the July 10 Movie in the Park, sponsored by the Youth Advisory Council, had a great turnout.

Announced that CDBG

Continued on A6

Local Sales Tax continued from A1...

also showed a strong double-digit increase, climbing 24.98 percent. Its payment went from \$31,401.43 in July 2013 to \$39,248.32 this cycle. In June, that city recorded a 2.01 percent payment gain, receiving \$30,020.05 compared to \$29,428.28 a year earlier.

Percentagewise, Earth came in slightly lower with a 24.26 percent increase. That city received a \$4,361.03 payment this month, compared to \$3,509.41 a year earlier. In June, the community received a \$3,740.29 payment, up 35.12 percent from \$2,768.07 received in June 2013.

Bovina received a payment of \$8,706.69

for July 2014, which represents a 21.56 percent increase from July 2013 when it received \$7,162.32. Last month that community posted a 3.29 percent increase, going from \$8,428.27 in 2013 to \$8,798.63 in June 2014.

Olton's sales tax revenue for July climbed 7.18 percent, while Dimmitt was up 5.15 percent and Sudan increased 2.86 percent.

Littlefield, Olton, Bovina and Friona add 2 percent to the base state sales tax rate

while the other six communities have a local sales tax rate of 1.5 percent.

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Senior Citizen News

By Ron Hohes
 After all the special events at the Center this Spring and Summer, the week of July 21-25 will be a relatively quiet week of big activities. However, there will be the usual activities of dominoes and eighty games, good lunches with fellowshiping every day. Please do not forget the bingo games on Thursday afternoon.

It is good to see some of our senior folks back in town from their trips. Some of the folks have really been on some special trips visiting families and seeing some of our United States special places. Hopefully many more folks will be returning soon. With many folks being out of town or otherwise busy with other activities, there

have been times when some of the players were having trouble gathering enough players for a game. If you are sitting at the house, wandering about something to do, come to your Center. There just might be some players waiting for you. **Menu for Monday, July 21, through Friday, July 25:**
Monday, July 21 -

chicken rice casserole, black-eyed peas, carrots, fruit cocktail, wheat roll.
Tuesday, July 22 - roast turkey, savory bread dressing, candied sweet potatoes, pineapple tidbits, wheat roll.
Wednesday, July 23 - grilled steak, mashed sweet potatoes, green beans, tossed vegetable salad, French dressing, cornbread, tropical fruit

salad.
Thursday, July 24 - homestyle lasagna, garlic bread, Brussels sprouts, pears.
Friday, July 25 -

fish or chicken strips, Borracho beans, green peas, tossed vegetable salad, French dressing, wheat roll and tropical fruit mix.

“Honor the LORD with your wealth, with the firstfruits of all your crops; then your barns will be filled to overflowing, and your vats will brim over with new wine.”
 Proverbs 3:9-10, NIV



“For by grace you have been saved through faith.” Ephesians 2:8

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Ephesians 4:1-3 Solutions on A5

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 First Sunday of Month

4 pm Parkview Nursing Home Service
 Mon. 9 am Ladies Bible Stdy;
 Tues. 6 pm Adult Bible Stdy;
 Pastor Mindy McLanahan,
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MULESHOE COWBOY FELLOWSHIP
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If you have changes to make to church information, please contact the Journal at 272-4536.

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Obituaries

Bill Ellis



of Fame, and was also named Friona's Man of the Year.

Billy wrote and published the book, "Friona on Parade" in 2006. He collected data for the National Weather Service for 25 years. He was a member of the Panhandle Press Association of Amarillo and the High Plains Eye Bank of Amarillo.

Billy was a member of the Friona Evening Lions Club for 50 years, and was also a member of the First Baptist Church of Friona.

He was preceded in death by his parents, Charles and Mary Ellis, and his grandparents, Willie and Dovie Ellis.

Survivors include his wife, Carol; two sons, Stanly Ellis of San Antonio, Texas and Richard Ellis and his wife Leanne of Skokie, Illinois; a daughter, Laura Garcia and her husband, Noel of Lubbock, Texas; a brother, Darrel Ellis of Lubbock, Texas; and three grandchildren, Madeline Garcia and Clairra Garcia of Lubbock, Texas and Layla Ellis of Skokie, Illinois.

Donations can be sent to the West Texas Alzheimer's Association, 415 SW 8th Street, Suite 30, Amarillo, Texas, 79101, and Cal Farleys Boys Ranch, PO Box 1890, Amarillo, Texas, 79174. Online condolences may be made at www.ellisfuneralhomes.com.

Church services for Billy L. Ellis Age 77, of Friona, Texas, was scheduled for 2:00 PM, Wednesday, July 16, 2014 at First Baptist Church of Friona with Bret Hoyle of Friona officiating. Burial will be in Bailey County Cemetery in Muleshoe, Texas.

Billy died July 12, 2014 in Friona, Texas was born December 31, 1936 in Clovis, New Mexico to Charles Lowell and Mary Alean (Durham) Ellis. Married Carol A. Stone in Lubbock, Texas on December 20, 1958. Billy was raised by his grandparents, Willie and Dovie Ellis of Muleshoe, after his parents passed away before he was 2 years old. He moved from San Mateo, California to Friona in 1962. He graduated from Texas Tech University with a bachelor's degree in journalism in 1958, and was a founding member of the Sigma Delta Chi Journalism Fraternity.

Billy was the owner, editor and publisher of the Friona Star from 1962 until he retired in 2003. In 2001, he was inducted into the Panhandle Press Association Hall

Ruby Fay Lambert

Graveside services for Ruby Fay Lambert, 87, of Lubbock, Texas were held at 11:00 a.m., Monday, July 14, 2014 at Muleshoe Memorial Park with Michael McDonald officiating. Ruby died on July 11, 2014 in Lubbock. She was born December 4, 1926 in Clyde, Texas to Evin Terry and Annie Jane (Summers) Griffin. She married Everett Lambert in Abilene, Texas on June 16, 1951.

Ruby moved to Muleshoe, Texas from Clyde in 1948. She was an elementary school teacher for Muleshoe ISD from 1948 until 1987, and was a member of the Muleshoe Church of Christ.

death by her husband, Everett; her parents; three brothers, Richard Griffin, Clyde Griffin and Dale Griffin; and one sister, Bernice Tucker.

Survivors include two sons, David Lambert of Round Rock, Texas and Jim Lambert of Austin, Texas; one sister, Bonnie Wood of Stephenville, Texas; two grandsons, Eric and Joseph Lambert and two great-grandsons.

Donations can be made to the American Cancer Society, 3411 - 73rd Street, Lubbock, Texas, 79423. Online condolences may be made at www.ellisfuneralhomes.com.

She was preceded in

Frances Stegall



of 90, and published 9 books.

She was a member of the Muleshoe Art Association and the First United Methodist Church of Muleshoe. Frances was devoted to caring for her family.

She was preceded in death by her husband, Cass in 1990, her parents, and a daughter, Lavon Stegall in 1983.

Survivors include, one son, Frank Louis Stegall II and his wife, Sharon of Stegall, Texas; two grandsons, Brad Stegall and his wife, Shelli of Hico, Texas and Brett Stegall of Dumas, Texas; three great-grandchildren, Cassie Stegall and Colton Stegall of Hico, Texas and Lauryl Stegall of Dumas, Texas; and one niece, Madalyn Albus and family.

Donations can be sent to First United Methodist Church, PO Box 505, Muleshoe, Texas, 79347 and Bailey County Meals on Wheels, 300 S 1st Street, Muleshoe, Texas, 79347. Online condolences may be made at www.ellisfuneralhomes.com.

Services for Frances Gaddy Stegall Age 102, of Muleshoe, Texas, was scheduled for 11:00 a.m., Wednesday, July 16, 2014 at First United Methodist Church of Muleshoe with Pastor Curtis Shelburne of Muleshoe and Mindy McLanahan of Muleshoe officiating.

Burial will be in Resthaven Cemetery in Lubbock, Texas.

Frances died Sunday, July 13, 2014 in Muleshoe. She was born August 3, 1911 in Lockney, Texas to Thomas Gaither and Glenn Estelle (Shuman) Gaddy. She married Frank Lewis (Cass) Stegall in Silverton, Texas on October 28, 1927.

Frances moved from McAdoo, Texas to Bailey County in 1922. She began writing at the age

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Obituaries and Death Notices

Death notices will be published free of charge in the *Muleshoe Journal*.

Obituaries will be published at the rate of \$4.50 per column inch.

In all cases, the death notice and obituary information should be submitted by the funeral home for verification purposes.

The guidelines that will be used to determine if, and how much the publication will cost is as follows:

Death Notices...

Death notices may include the deceased's name, city of residence, age, date and place of birth, date and place of death, and the names of parents. Survivor information will not be included.

If the notice is to be published prior to any services, the time, date and location of services, and location of burial may be included.

If publication will be after said services, the time will not be included.

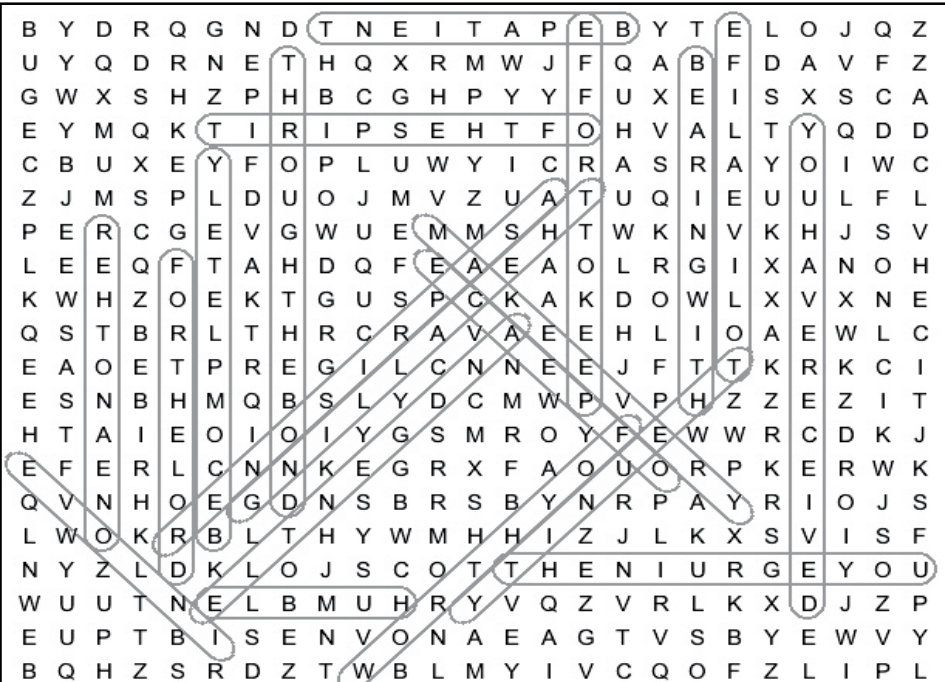
Obituaries...

Obituaries printed in the *Muleshoe Journal* are printed at the rate of \$4.50 per column inch, and may contain a variety of information, including but not limited to: Date and details of funeral and place of burial; date and place of birth and parents names; date of marriage; biographical information; names of parents, spouses or children who have preceded the person in death; names of survivors; and where memorials may be directed.

A black and white photo will be included; however, there is an additional charge of \$75 to include a color photograph.

Thanks for reading the Muleshoe Journal!

Ephesians 4:1-3



Loving God is not like Health Insurance. It doesn't go up with Age.

DISCIPLESHIP - 9:45 AM • WORSHIP - 11:00 AM
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The MHS Class of 1964 is planning their 50th Class Reunion during the weekend of September 26, 2014.

We need help locating these class members:

Sandra Jackson Hutchens • Paul Galyon
Sue Stinson Glover • Ray DeWarf
Kathy Moore Ayres

If you have a mailing address, email or phone number for any of these people, please contact
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7, 8, 9TH PRIZE - \$100 GIFT CARD

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Contact any Church Member for raffle tickets.
For Ticket info contact Andy 272-4383, Richard 946-6063
For more info call Martha @ 272-5786

The Muleshoe Chamber of Commerce

would like to thank all of the participants in the parade, judges, car show, vendors, softball tournament and entertainment, it was an awesome day!

Also, the fire department with the water polo and fireworks. Thanks to the city police and city workers for traffic control, the Muleshoe Journal and Channel 6 for advertising and to the community who came out to watch.

Thank you

Williams General Store and all the business owners that participated.

Muleshoe Chamber of Commerce Board of Directors

Muleshoe Girl Scout 2014 Float An Event To Remember

By Nelda Merriott

The girls all helped build our float - so we wanted to tell you a little about it.

The Scouts loved putting handfuls of paint on the boot - They also fashioned the Cowboy hat on a big balloon with scraps of wet paper to make old fashioned paste.

They enjoyed their "sign" Don't Mess with Texas," on the barrel to remind everyone to help keep our Texas clean.

The little Daisys (5 and 6 yrs) old helped sew the Texas flags and earn their first sewing patch for their vests as did the others.

Our big Mule Shoe featured a burlap Texas



Courtesy photograph

Pictured above is Nelda Merriott, Lacie Kirk, and Donna Kirk with the 2014 July 4th Girl Scout Float.

in its heart -- the Scouts sang "Deep in the Heart of Texas," and raised their Texas flags.

A big bouquet of yellow roses and bluebonnets sat in the base of the mule shoe. Our big red/white and blue Texas boot held

the symbols of Texas .A pecan tree, our state tree, rose from the boot.

An armadillo, our state small mammal, sat on the toe of the boot. All symbols were labeled on red cardboard.

The Scouts tossed out

candy from white paper sacks, which featured a bluebonnet - made by the Daisys by dipping a finger in blue paint and pressing it on the sack to create a pretty bluebonnet.

Our float was great FUN to build and

we truly felt "TEXAS PRIDE".

When entering the parade, many scouts, moms and leaders came to enjoy being together on our float.

The Girl Scout float was placed at the Coliseum near the

Jennyslipper Mule-Putt Golf Course for the July 4th afternoon and was enjoyed by many who stopped by for pictures and went on to play in the World Championship Mule Shoe Pitching Tournament.

The picture of the float features Donna Kirk and her granddaughter, Lacie, and also Nelda Merriott. Donna is a member of the Girl Scouts of Lubbock and is very active in the Scouts there as her granddaughter is also a scout. Although Donna and hubby, Lacy moved to Lubbock, her heart brings her back to Muleshoe at every opportunity.



The Sudan Buzzer

Promise To Make A Gift Is Not Enforceable

Q. A few years ago I remarried. I immediately fell in love with my stepchild and wanted to let him know how much I felt like he was my own. I told him when I bought a new car I would give them my old one. That was almost a year ago and I no longer feel I can afford to give him the car. Am I legally obligated to give him the car as promised?

A. While people should always try to keep their promises, as far as the law is concerned, a promise to make a gift generally is not enforceable. To have an enforceable promise, called a contract, the law requires something be given in exchange. The law calls this "consideration." For example, had you said, "if you will promise to visit once a week I will give you my car when I get a new one," and he replied, "deal," there would be a contract and you would be bound to give him the car. On the other hand, if you just said, "I love you very much and promise to give you my car when I get a new one," or simply, "I promise to give you my car when I get a new one," it would not be an enforceable promise. Based on what you say, my opinion is your promise is not enforceable.

Q. My 19-year-old daughter purchased a used car from a used car lot. The seller explained it had

Ask A Lawyer...

By Richard Alderman

a check engine light on, indicating a minor problem with one of the cylinders. After we paid, we took it to a mechanic who diagnosed that the engine needed to be replaced. We asked to return the vehicle for a full refund. He counter offered to replace the engine at no cost. Now he is saying he can't do that and we will owe another \$650.00. Do we have any legal rights on our side?

A. My opinion is that if the seller represented it was simply a misfiring engine and it was much more serious, he has violated the Texas Deceptive Trade Practices Act (DTPA). This is our state's consumer protection law and it protects you whenever a seller misleads or deceives you or takes grossly unfair advantage of you. If the seller violated this law, you should be able to get a refund or the amount it will cost to put in a new engine. If the seller puts in a new engine for free, that probably is all you are entitled to. I do not believe he has any right to require you to pay an additional sum.

The DTPA can be used in justice court, and if you can show the seller knew about the seriousness of the problem and knowingly

misrepresented it, you could be entitled to up to three times your damages. Sixty days before you sue, however, you need to send written notice telling the seller what he did wrong and how much money you want as damages. My guess is once the seller knows you know about this law he will work with you to resolve the matter.

Q. When our parents died, my brother, sister and I inherited everything and divided all their possessions. My brother recently died and my sister in law emailed me asking me to come and get all my parents furniture. When I got there she refused to give me one piece. Can she legally keep that piece?

A. When your parents died, you and your brother and sister inherited their property. Once your parents' possessions were divided and each sibling took his or her share, the furniture belonged to whoever received it. You no longer had any right to the furniture your brother and sister received. When your brother died, his property goes to his heirs, probably his wife. If his wife inherited his property she can do whatever she wants with it. She can give you all of it, some of it, or

none of it.

Q. Can a landlord write in the provisions of a lease that the tenant is subject to monthly visits from the landlord?

A. A lease is simply a contract, and each party may bargain for almost any term he or she wants. If the landlord wants to enter the premises once a month he has the right to include that provision in the lease. Your options at that point are either to agree, propose an alternative, or simply not sign the lease. Once you sign and agree it is a binding provision.

Do you want to know more about your legal rights? Check out my website, www.peopleslawyer.net

The Muleshoe Journal is looking for a news correspondent for Sudan and Sudan ISD.

If interested, contact the Muleshoe Journal, 272-4536.

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Continued from A3...

(Community Development Block Grants) will be funded at the same rate as last year.

Announced that city council and city staff will have a budget workshop following the city's regular city council meeting on Aug. 11.

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LEGAL/PUBLIC NOTICE

NOTICE OF SHERIFF'S SALE (REAL ESTATE) BY VIRTUE OF A Writ of Execution issued out of the 287th District Court of Bailey County, Texas, in a certain cause numbered Cause #9250. On the 15th day of May A.D. 2014 Styled: Mary McKinney vs. Rafael Paez, to me, as Sheriff Richard Wills directed and delivered, I have levied upon this 25th day of June A.D. 2014 and will between the hours of 10:00 A.M. and 4:00 P.M. on the first Tuesday in August A.D. 2014, it being the 5th day of said month, at Bailey County Courthouse of said Bailey County, proceed to sell at public auction to the highest bidder, for cash in hand, for all right, title and interest, if any, which the defendant had on the 25th day of June A.D. 2014, or at any time thereafter, of in and to the following described property: Original Town-Muleshoe, Block 12, Lot 10; 216 Main Street Muleshoe, Tx.; Commercial Building; 3500 square feet; and dimensions of said property 25' by 140'. Said property is levied on as the property of Rafael Paez and will be sold to satisfy the judgment for \$13,500 Dollars plus interest from 15th May, 2014 and costs of sale. GIVEN UNDER MY HAND on this 27th day of June A.D. 2014. Sheriff Richard Wills Bailey County, Texas By Richard Wills. *Published in the Muleshoe Journal July 10, July 17, July 24, and July 31, 2014*

CAUSE NO. 9225 IN THE INTEREST OF BLAZE HUNTING JAYDEN FREE CHILDREN TO: **HARRY HERBERT**, and All Whom it May Concern, Respondents; GREETING: NOTICE TO RESPONDENT: "You have been

sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." The petition of In the Interest of BLAZE HUNTING AND JAYDEN FREE. Children, petitioner was filed in the 287th District Court of Bailey County, Texas on the 17th day of September 2013 against Harry Herbert. Respondent in the above entitled cause and entitled 'In the Interest of Blaze hunting, and Jayden Free, children.' The suit requests Original Petition for Protection of a Child, for Conservatorship, and for Termination in Suit Affecting the Parent-Child Relationship and Order Setting Hearing, as is more fully shown by Petition on file in this suit. The date and place of birth of the child/children who is/are the subject of the suit is/are: Blaze Hunting DOB 04/16/2006 | Jayden Free DOB 01/02/2008 "The court has authority in this suit to render an order in the child's (Children's) interest that will be binding on you, including the termination of the Parent-child Relationship, the determination of paternity, and the appointment of a conservator with authority to consent to the child's (children's) adoption." ISSUED and given under my hand and seal of said of said Court at Muleshoe Texas this the 11th day of July 2014. Attorney for Petitioner or Petitioner: Janice Payne 1622 10th Street Lubbock, TX 79401 Clerk of the Court Elaine Parker Bailey County, Texas By: Ysenia Chacon Deputy *Published in the Muleshoe Journal July 17, 2014.*

HELP WANTED

Paco Feed Yard LLC is looking to hire a mechanic and a feed truck driver. Apply in person.

Truck Driver needed. Must have CDL. Apply at C&H Equipment.

Savage-Tolk Energy Services has an immediate opening for a Team Member Support person. Applicants should be high school graduates or equivalent. Position will require rotating shift schedule and both night and day 12 hour shifts. For more information go to www.savage-services.com, click on employment and follow the links to apply.

Park View Nursing Care Center is taking applications for Part time Activity Asst. Must work weekends. Please come by 1100 West Ave J or call Janis Morrison at 806-272-7578 for more info.

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HELP WANTED

HELP WANTED Park View Nursing Care Center Seeking LVN'S for Day & Night Positions. 12 hour shifts. Contact Yolanda at 272-7578

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shifts. Must be at least 18 yrs of age with a clean criminal background. MUST have reliable transportation. No certifications or prior experience required. Fax Resume referencing Ad #14955 to (806)747-0491 For an application, call (866)747-0173 Apply online at www.girling.com Or apply in person at 5010 Kenosha Lubbock, TX 79413 E.O.E / M.F.D.V.

Our youth need a leader! First United Methodist Church, Muleshoe is looking for a part time youth director. For the right person, we will negotiate hours and salary. For more information call 806-272-5517. Applications available in the church office at 507 W. 2nd, Muleshoe, TX 79347

Experienced Medical Assistant or LVN. Bilingual preferred. Must be licensed in Texas. Send resume to Farwell Family Healthcare PO 245, Farwell, TX 79325

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BAILEY COUNTY- BULA AREA- 159 ACRES DRYLAND FARM, GOOD SOIL, SUDAN SCHOOL DISTRICT.
BAILEY COUNTY- 152 ACRES, 2 IRRIGATION WELLS, 1 CENTER PIVOT SPRINKLER, ON PAVEMENT.
BAILEY COUNTY- 2500 ACRES RANCH WELLS, DIVIDED INTO 4 PASTURES, HOUSE WITH OTHER IMPROVEMENTS, WITH FENCES.
PARMER COUNTY- 155 ACRES IRRIGATED FARM, GOOD SOIL, LAYS GOOD, 1 CENTER PIVOT SPRINKLER, 2 IRRIGATION WELLS WITH SUBMERSIBLE PUMPS.
BAILEY COUNTY- WEST CAMP AREA, 320 ACRE DRYLAND FARM, WITH NICE HOME AND METAL SHOP. 3BR/2BTH HOME WITH FIREPLACE, LOCATED ON PAVEMENT.
BAILEY COUNTY- 160 ACRE IRRIGATED FARM IN WEST CAMP AREA. WITH CENTER PIVOT SPRINKLER, 3 WELLS, LOCATED ON PAVEMENT.
BAILEY COUNTY- 105 ACRE FARM WITH CENTER PIVOT SPRINKLER. 2 WELLS, CATTLE PENS, PARTIALLY FENCED, ON PAVEMENT.

RURAL RESIDENTIAL
MULESHOE- 3 BEDROOM, 1 3/4 BATH, 2 LIVING AREA W/ FIREPLACE, UPDATED NICELY, STORAGE BUILDING, BACK YARD PATIO, GREAT NEIGHBORHOOD.
EARTH- LARGE ROCK HOUSE, 3 BEDROOM, 3 BATH, FORMAL DINING, LARGE FINISHED BASEMENT, CENTRAL H&A, ON FIVE ACRES.
BAILEY COUNTY- COUNTRY HOME ON 14 ACRES. 3 BDR., 2/3 QTR BATH, 2 LIVING AREAS, FIREPLACE, LARGE INSULATED METAL SHOP, LIVESTOCK/HORSE CORNALS, ON PAVEMENT.
PARMER COUNTY- NICE HOME ON 34 ACRES, 3 BDR, 2 BTH, BASEMENT, 3 CAR GARAGE, LARGE METAL SHOP, ON PAVEMENT.

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- **NEW LISTING- 3 BEDROOM, 1 BATH** HOME, BUILT-INS, WOOD FLOORS, LARGE LAUNDRY ROOM THAT ALSO COULD BE AN OFFICE OR PLAYROOM, CARPORTS, DETACHED GARAGE, CLOSE TO JR. HIGH AND HIGH SCHOOL, ALL ON CORNER LOT, PRICED TO SELL.
- **NEW LISTING- NICE 2 STORY 3 BEDROOM, 2 BATH** HOME, CENTRAL AIR AND HEAT, FIREPLACE, LARGE KITCHEN WITH LOTS OF CABINETS, SPRINKLER SYSTEM, DOMESTIC WELL, SINGLE CAR GARAGE WITH WORKSHOP, STORAGE BUILDING, JUST OUTSIDE CITY LIMITS ON HIGHWAY, ALL ON APPROX. 1.27 ACRES.
- **NEW LISTING- NICE 3 BEDROOM, 2 BATH** BRICK HOME, CENTRAL AIR AND HEAT, FREESTANDING FIREPLACE, STOVE, DISHWASHER, FENCED BACKYARD, GREAT HOME FOR A GREAT PRICE! ONLY \$79,000.00.
- **JUST LISTED COUNTRY HOME ON HIGHWAY- NICE 3 OR 4** BEDROOM, 2 BATH HOME, NEW CENTRAL AIR AND HEAT UNIT, SEPTIC SYSTEM, FIREPLACE, LARGE DEN, LOTS OF STORAGE, GARAGE, 2-CARPORTS, EXTRA BUILDING WITH BATHROOM, FENCED YARD, METAL ROOF, CELLAR, PLUS A LOT MORE, ALL ON 1.24 ACRES. CALL FOR AN APPOINTMENT TODAY!!
- **PRICE REDUCED MOTIVATED SELLER!!- VERY NICE 3** BEDROOM, 1 3/4 BATH BRICK HOME, CENTRAL AIR AND HEAT, ELECTRIC STOVE IN LIVING ROOM, BUILT-INS, WOOD SHUTTERS, ITS OF STORAGE, ALL ELECTRIC, UTILITY ROOM, 2 CAR GARAGE, SPRINKLER SYSTEM, FENCED BACKYARD, WALK-IN ATTIC SPACE, ALL ON CORNER LOT.
- **475 ACRES NW OF MULESHOE- 5 WELLS, 3 CIRCULAR** SPRINKLERS, LAYS WELL, 2 ADDITIONAL COUNTRY HOMES INCLUDED, REASONABLY PRICED!! CALL FOR DETAILS!!
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HIGH SCHOOL AREA
• 3-1.5-1 carport Home, Cent. A&H, stove thermal windows, "AS IS", MAKE OFFER!! \$47K!!!
• 5-3-2+2 carport home, Cent. Air & Heat, approx. 3124' lv. area, FP in den, WB stove in lv. area, 2 large workshops, stor. bldgs., +1 bdrom aptmt., corner lot, MUCH MORE!! \$140,000!! \$120K!!!
• 3- 2 1/2 - 2 carport HOME, corner lot, 2301' living area!! \$80K!!! REDUCED \$72K!!!
• Nice 3-2-2 Home, approx. 1974' lv. area, built-ins, corner lot, workshop/storage, fenced yd. MORE!! \$80K!!!

RURAL
• NICE 4.8 acre homesites, deed restricted!! \$17,500!!!
• HWY 214, Edge of Town-3-1-1+1 Carport Home, .69 acres, Cent. heat, 2 win. reffrig air unites, ceiling fans, appliances, furniture, dishes, etc. well, stor. bldg., Much More!!! \$49,500!!!
• FM 303-4 Bedroom, 2 Bath, 2 Det. Garage, 2 acre tract, Par. Cent. A&H, Dw, disposal, thermal windows, storm doors, fans, stor. bldg.!! \$80H \$69,500!!!
• STEGALL 3-2-2 Austin Stone Home on 3.67 acres, Cent. A&H, built-ins, gas log FP, approx. 3064' living area, workshop/storage, 24'x36' metal shed, MORE!! \$125K!!!
• MAPLE 3-2.5-2 Brick Home on 2.48 acres, Cent. A&H, built-ins, gas log FP, approx. 2557' lv. area, (garage enclosed), storage unit!! MORE!! \$65K!!!
• 15 Rental Units- (1 quadplex & 11 individual units) \$5580 gross income when full!! \$350K!! Make Offer!!

LAND & COMMERCIAL
• Approx. 1080' metal bldg. w/off. & 3 bay garage/workshop area plus chain link fenced area!! \$39,500!!!
• GREAT BUSINESS LOCATION - 13000' Bldg., 7000' paved parking, corner lot, Hwy. 84 & Main. A&H, \$100,000!!! Price Reduced \$60,000!!!
• 101.8 acres, edge of town, pasture & farm land, 1 irrig. well!! \$122,244!!!
• FOR LEASE - 2100' office space + 20,500' warehouse area!!
• 308 W. 2nd - 2856' bldg. - former Odd Fellows Lodge, PRICED TO SELL!! \$31,500
• 1020 S. Main - 200' x 104' tract w/ 1000' Bldg.!! \$20K!!! Price Reduced \$18K!!!
• 2.95 acre tract with 2140' office + 17000' & 3465' ware houses 4 miles east on U.S. 70 - \$430K!!! \$99K!!!
• CASTRO CO. / FM 303 - Approx. 440 acres, 6 subs, 1 turbine, 2 valley & 1 Zimmatic circle!! \$1750 per acre!!
• NICE 1680' office, Cent. A&H, plus 1120' storage/workshop w/gar. door + 2 carport!! \$30K!!!

FOR SALE



FOR SALE -
USED - 1998 T & L Hydraulic drive 16 - Tower, 1/2 mi. sprinkler system, 60' spacing, 38' tires, located S. of Dimmitt, Texas, in good condition!
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Commissioners Court continued from A1...

Vandiver, included, "Shut up," "Are you drunk?" "Don't worry, you only have to deal with me for two more years" and "You are the only farmer to call and badger." The narrative also states that Chad King was hung up on twice.

Other complaints were that the impassable roads caused extra miles and wear and tear on vehicles. The narrative says farmer Brent Nelson was unable to reach his farm and was forced to call Bailey County Electric to blink the electricity and shut off his wells because his sprinkler had stopped running.

"Jerry Nichols had called Butch about a bog and was told 'No way to fix it,' " the statement continued. "Oscar, who helps Jerry on his farm, told him that his wife was told by a school bus driver that he would not be picking up or dropping off their kids until the road was tended to, but he had already called Butch to no avail, and she would need to place a call to the judge's office. She made the call and the road was fixed that day."

Farmers are worried that the road conditions will affect their livelihood. "... there are times our livelihood is simply not accessible, and one would need a

Humvee or a hovercraft to be able to check on a particular farm," the narrative said. "During fall harvest, module trucks and tractor trailers hauling peanuts are unable to reach our farms to haul our crops to processing points. This in turn can be detrimental to our operations as well as the buying point."

The narrative said that in order to properly maintain the county roads, ditches need to be cleaned out. "Cleaning the ditches and building up the road would, of course, allow for water runoff during big rains and heavy snowfall."

The statement ends with an offer to provide the city "a safe environment to park your equipment." "It is our hope that we can reach some common ground in resolving these issues," the statement read. "In closing, we thank all county commissioners for your hard work in maintaining Bailey County roads. Truly your choice to serve in the civic realm is very much appreciated."

At Harrison's request, copies of the statement were given to all commissioners.

Vandiver recalled the phone call from Chad King, during which, he said, King kept talking and would

not let him speak until he finally said, "shut up." The commissioner apologized for that.

The commissioners repeatedly stated that they were coming off a three-year drought, which, in addition to recent rains, made the roads very difficult to maintain. They detailed what had been done with the roads during the past three years, from September 2010 to September 2013.

When Harrison asked what roads they specifically needed to focus on, the answer was "All of them."

"When you tell me that every road from the county line to 214 (needs work), something is wrong," Brent Nelson said.

The commissioners also mentioned that they needed more help, at least another part-time employee to maintain the roads. King said that they had checked the county's website and had not found a job posting. Vandiver responded that the opening was advertised in the Muleshoe Journal.

The commissioners told the farmers they would do the best we can.

"Potentially, our livelihood rests on your shoulders," King said. "(We) talk about economic development all the time, but if they can't get here, they can't buy here."

In other action, the commissioners:

Approved the minutes from the previous meetings.

Reviewed, approved and ordered payment of county bills.

Submitted a schedule of in-county travel forms for approval.

Reviewed and approved departmental reports.

Approved two soil conservation worksheets, in accordance with 201.151 of the Agriculture Code, after discussion of the amounts on the forms.

Received the Daily Equipment Inspection from the precincts for the month of June.

Approved reimbursement for law enforcement training in Galveston for Kathryn Gurley.

Re-appointed Harrison to serve on the Central Plains Center Board beginning Sept. 1 for a two-year term.

Appointed election judges and alternate election judges to be effective Aug. 1, 2014- July 31, 2016. The court still needs to appoint one more alternate judge for Precinct 2.

Scheduled a budget workshop for 10 a.m. July 28.

HELP WANTED

General help, long hours, and hourly pay. Contact Ag Aviation at 272-3066

Thanks for reading!

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