

## Wood County Special Education SSA Correction of Deed Documents

Wood County Special Education SSA—also known as Wood County Special Education Co-Op—was established during the 1980s. Through the years, Wood County SE Coop purchased real property and property deeds were recorded in the name of Wood County SE Coop. School districts were required to participate in a special education cooperative if the school district ADA was under 3000 students. During the mid-1990s, TEA established guidelines for special education Shared Services Arrangements, deleting the mandatory 3000 student requirement and stating that ‘a special education SSA contract does not create a new or additional legal entity.’

In 2010 Quitman ISD relinquished the role of fiscal agent for Wood County SESSA and Mineola ISD became the fiscal agent for the SSA. At this time, Denise Hays at Walsh Anderson, Gallegos, Green and Trevino, P.C. drafted a new Shared Service Arrangement agreement for the six districts who participate in the Wood County SESSA. During her research, Ms. Hays discovered that properties were deeded to Wood County SESSA and advised the WCSESSA Management Board that the SSA is not an entity and therefore cannot own property. For the last three years, the WCSESSA Management board has researched appropriate and legal options to correct the grantee names on the deeds.

Ann Mewhinney at Walsh Anderson Gallegos, Green and Trevino created the five Correction to Deed documents. According to Ann, there are two types of changes to documents: 1) a material change to the documents and 2) a non-material change to the document which may be used if there is an inadvertent error and the correction to the deed will fix the error. Since these five correction documents are looking at a further expansion of the grantee names with no changes to the actual deed, these five deeds can be changed through a non-material change.

Each deed must be signed by someone who has personal knowledge of the history of the deeds and the occurrence of property events, i.e. the Affiant. Ann named Sheryl Pappa as the Affiant for each of the deeds since she has the deeds and the history of the property purchases.

The process for approving the correction of the deeds is as follows:

1. Each district must obtain school board approval of the five Correction to Deed documents.
2. Once the five Correction to Deed documents have been approved by all six school boards, Ann Mewhinney will send notice to the grantor on each of the original deeds, advising them of the changes. A notice letter goes to each grantor via registered mail. When notices are returned and/or determined not deliverable, the notices will be attached to the respective Correction to Deed documents.
3. At that time, Sheryl Pappa will sign the Correction to Deed documents and the documents will be filed at the courthouse.

# WOOD COUNTY SPECIAL EDUCATION SSA

## Real Property Inventory

Grantor	Grantee	Date of Deed	Property	Known As
1. Ben Kerr & Joe Bulowski	Wood County Special Education Cooperative	09/01/88	J.M. Rogers Survey, Abstract No. 502, part of 18.8 acre tract of land. Recorded: Vol. 1135, P. 320.	Multi-District Building (site of old Jr High and High School buildings)
2. Ben & Linda Kerr	Wood County Special Education Cooperative	05/30/95	J.M. Rogers Survey, Abstract No. 502. Recorded: Vol. 1441, P. 464.	Multi-District Building (former site of Bar-B-Q building, now Secondary ASSIST building)
3. 1st Baptist Church of Quitman	Quitman ISD/Wood County S.S.A.	02/25/03	J.M. Rogers Survey, Abstract No. 502, part of 18.8 acre tract of land. Recorded: Vol. 1901, P. 427.	Elementary ASSIST Building
4. Trafalgar Resources, LLC	Wood County Special Education Cooperative	09/08/09	Mary Crothers Survey, Abstract No. 97, Wood County, Texas. 0.341 acres of land.	Wood County SSA Building
5. Ben J Kerr III	Wood County Special Education Cooperative by and through it's Fiscal Agent, Mineola ISD	08/01/11	J. M. Rogers Survey, Abstract No. 502, Wood County, Texas. 9.286 acres.	Harold Simmons Playground



1 and 2: 1114 E. Goode St.

3: 103 Earlene



4: 209 Conger

**CORRECTION INSTRUMENT**  
**Pursuant to Section 5.028 of the Texas Property Code**  
**(Nonmaterial Correction)**

**TO THE COUNTY CLERK:**

**PLEASE INDEX THIS INSTRUMENT UNDER THE NAMES OF THE PARTIES TO THE INSTRUMENT BEING CORRECTED.**

**GRANTOR: Ben J. Kerr, III and Joe Bulowski, by and through his Power of Attorney, Ben J. Kerr, III**

**GRANTEE: Wood County Special Education Cooperative**

STATE OF TEXAS           §  
  §  
COUNTY OF WOOD       §

Date: \_\_\_\_\_

**Original Instrument:**       Warranty Deed dated September 1, 1988  
**Recording Information:**   Volume 1135, Page 320, Official Public Records of Wood County, Texas  
**Grantor:**                    Ben J. Kerr, III and Joe Bulowski, by and through his Power of Attorney, Ben J. Kerr, III  
**Grantee:**                    Wood County Special Education Cooperative  
**Error in Original Instrument:** The name of the Grantee in the deed was incomplete and requires correction and clarification

**Affiant:           Sheryl Pappa**

Before me, the undersigned authority, personally appeared Affiant who on oath swears that the following statements are believed to be true and correct and are within the personal knowledge of Affiant:

1. My name is Sheryl Pappa, and I am over the age of 18 years and duly qualified to execute this Affidavit.
  
2. I have personal knowledge of the facts relevant to this correction, I am currently the Director of Special Education for the Wood County Cooperative providing special education services pursuant to the Wood County Shared Services Arrangement (SSA), and I have access to and knowledge of the records pertaining to the Wood County Shared Services Arrangement and

the school districts having a membership interest (also known as "Member Districts") in the Wood County Shared Services Arrangement.

3. I am executing this Affidavit as a correction instrument pursuant to the provision of Section 5.028 of the Texas Property Code, with regard to the following non-material change resulting from a clerical error in the Original Instrument.

4. This being a non-material change to the Original Instrument, the Original Instrument should correctly state the full, complete and correct name of the Grantee and should read as follows:

Grantee: ALBA-GOLDEN INDEPENDENT SCHOOL DISTRICT, HAWKINS INDEPENDENT SCHOOL DISTRICT, MINEOLA INDEPENDENT SCHOOL DISTRICT, QUITMAN INDEPENDENT SCHOOL DISTRICT, WINNSBORO INDEPENDENT SCHOOL DISTRICT, and YANTIS INDEPENDENT SCHOOL DISTRICT, the Members of the Wood County Special Education Shared Services Arrangement, as joint tenants in common

5. I hereby certify that I have given notice of this correction of the Original Instrument by sending a copy of this Correction Affidavit by certified mail, return receipt requested to each party to the Original Instrument in accordance with the provisions of Section 5.028(d)(2) of the Texas Property Code. The evidence of said notice is attached to this Affidavit.

\_\_\_\_\_  
Sheryl Pappa, Affiant

STATE OF TEXAS       §  
                                  §  
COUNTY OF WOOD     §

SUBSCRIBED AND SWORN TO before me on this \_\_\_\_\_ day of \_\_\_\_\_,  
2015 by Sheryl Pappa.

\_\_\_\_\_  
Notary Public, State of Texas

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**Pursuant to Section 5.028 of the Texas Property Code**  
**(Nonmaterial Correction)**

**TO THE COUNTY CLERK:**

**PLEASE INDEX THIS INSTRUMENT UNDER THE NAMES OF THE PARTIES TO THE INSTRUMENT BEING CORRECTED.**

**GRANTOR: Ben J. Kerr, III and wife, Linda M. Kerr**

**GRANTEE: Wood County Special Education Co-op**

STATE OF TEXAS           §

§

COUNTY OF WOOD       §

Date: \_\_\_\_\_

**Original Instrument:**       Warranty Deed dated May 30, 1995  
**Recording Information:**    Volume 1441, Page 464, Official Public Records of Wood County, Texas  
**Grantor:**                    Ben J. Kerr, III and wife, Linda M. Kerr  
                                      Power of Attorney, Ben J. Kerr, III  
**Grantee:**                    Wood County Special Education Co-op  
**Error in Original Instrument:** The name of the Grantee in the deed was incomplete and requires correction and clarification

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**CORRECTION INSTRUMENT**  
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**(Nonmaterial Correction)**

**TO THE COUNTY CLERK:**

**PLEASE INDEX THIS INSTRUMENT UNDER THE NAMES OF THE PARTIES TO THE INSTRUMENT BEING CORRECTED.**

**GRANTOR: First Baptist Church of Quitman, a Texas Corporation, by and through its Trustees, Ben J. Kerr, III; Billy Weems; and W. C. Jackson, pursuant to corporate resolution**

**GRANTEE: Quitman Independent School District/Wood County S.S.A.**

STATE OF TEXAS           §  
  §  
COUNTY OF WOOD       §

Date: \_\_\_\_\_

**Original Instrument:**       Warranty Deed dated February 25, 2003  
**Recording Information:**   Volume 1901, Page 427, Official Public Records of Wood County, Texas  
**Grantor:**                    First Baptist Church of Quitman, a Texas Corporation, by and through its Trustees, Ben J. Kerr, III; Billy Weems; and W. C. Jackson, pursuant to corporate resolution  
**Grantee:**                    Quitman Independent School District/Wood County S.S.A.  
**Error in Original Instrument:** The name of the Grantee in the deed was incomplete and requires correction and clarification

Affiant:           Sheryl Pappa

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2. I have personal knowledge of the facts relevant to this correction, I am currently the Director of Special Education for the Wood County Cooperative providing special education services pursuant to the Wood County Shared Services Arrangement (SSA), and I have access to

and knowledge of the records pertaining to the Wood County Shared Services Arrangement and the school districts having a membership interest (also known as "Member Districts") in the Wood County Shared Services Arrangement.

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**TO THE COUNTY CLERK:**

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**GRANTOR: Trafalgar Resources, LLC, a Texas limited liability company**

**GRANTEE: Wood County Special Education Cooperative, a cooperative arrangement between and among Alba Golden ISD, Hawkins, ISD, Mineola ISD, Quitman ISD, Winnsboro ISD, and Yantis ISD**

STATE OF TEXAS           §  
  §  
COUNTY OF WOOD       §

Date: \_\_\_\_\_

**Original Instrument:**       Warranty Deed dated September 8, 2009  
**Recording Information:**   Instrument Number 2009-00011970, Official Public  
  Records of Wood County, Texas  
**Grantor:**                    Trafalgar Resources, LLC, a Texas limited liability  
  company  
**Grantee:**                    Wood County Special Education Cooperative, a  
  cooperative arrangement between and among Alba Golden  
  ISD, Hawkins, ISD, Mineola ISD, Quitman ISD,  
  Winnsboro ISD, and Yantis ISD

**Error in Original Instrument:** The name of the Grantee in the deed was incomplete and requires correction and clarification

Affiant:       Sheryl Pappa

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**GRANTOR: Ben J. Kerr, III**

**GRANTEE: Wood County Special Education Shared Services Arrangement by and  
through its Fiscal Agent, Mineola Independent School District**

STATE OF TEXAS           §  
  §  
COUNTY OF WOOD       §

Date: \_\_\_\_\_

**Original Instrument:**       Warranty Deed dated August 2, 2011  
**Recording Information:**   Instrument Number 2011-00009290, Official Public  
  Records of Wood County, Texas  
**Grantor:**                    Ben J. Kerr, III  
**Grantee:**                    Wood County Special Education Shared Services  
  Arrangement by and through its Fiscal Agent, Mineola  
  Independent School District

**Error in Original Instrument:** The name of the Grantee in the deed was incomplete and  
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